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environmental damages which in the past went uncompensated. For example, State and local governments will be able to claim compensation for damages to natural resources under their jurisdiction.

This legislation would replace a patchwork of overlapping and sometimes conflicting Federal and State laws. In addition to defining liability for oil spills, it would establish a uniform system for settling claims and assure that none will go uncompensated, such as in cases where it is impossible to identify the source of the spill. The legislation provides for a fund of up to \$200 million derived from a small fee on oil transported or stored on or near navigable waters.

This legislation would also implement two international conventions—signed in 1969 and 1971—which provide remedies for oil pollution damage from ships. These conventions provide remedies for U.S. citizens under many circumstances where a ship discharging oil that reaches our shores might not otherwise be subject to our laws and courts. Protection of the international marine environment is basically an international problem since the waters, currents, and winds that spread and carry ocean pollution transcend all national boundaries.

In proposing implementation of the conventions, I am mindful of the fact that the Senate has not yet given its advice and consent to either of them. I urge such action without further delay. The 1969 convention came into force internationally on June 19, 1975, without our adherence, and the continuing failure of the United States to act on such initiatives may weaken or destroy the prospects of adequate international responses to marine pollution problems.

GERALD R. FORD.

THE WHITE HOUSE, July 9, 1975.

# COMPLEX FOREIGN POLICY PROBLEM RELATING TO DETERIORATING SITUATION IN EASTERN MEDITERRANEAN — COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following communication from the President of the United States; which was read and referred to the Committee on International Relations:

THE WHITE HOUSE,  
Washington, July 9, 1975.

Hon. SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
Washington, D.C.

DEAR MR. SPEAKER: I wish to share with you my concern about a complex foreign policy problem that relates to the deteriorating situation in the Eastern Mediterranean, the threat to our North Atlantic Alliance relationships, the plight of the people of Cyprus and the role of the United States. Both the Congress and the Executive Branch share a responsibility to reexamine this critical situation with care. This is not a partisan matter or one where the rights and wrongs of a decades-old dispute can easily be judged—particularly by outsiders. Our overriding objective must be to help

in the peaceful settlement of a problem that involves two valued Allies and a people whose history as an independent nation has been riven by strife.

The strategic situation must also be weighed. At a time of uncertainty in the Middle East, we should consider carefully any action which could add to the tensions that already exist. Our facilities in Turkey and our mutual defense arrangements have played and continue to play a vital role in the security of the area and, more directly, in the security of our own forces. Mutual defense links that have stood us well for thirty years should not be lightly cast aside.

I have spent much time studying these issues and have talked in Brussels with the leaders of Turkey and Greece. I am convinced that U.S. and Western security interests require the urgent passage by the House of legislation enabling the resumption of our long-standing security relationship with Turkey. The Senate has already acted favorably on a bill to accomplish this purpose.

Existing legislation passed by Congress last December 18, with an effective date of February 5, 1975, has been in force for nearly five months. This action has: (1) called into question the ability of an Ally to continue to fulfill its essential NATO responsibilities, thus undermining NATO's strength in the Eastern Mediterranean; (2) jeopardized vital common defense installations which Turkey and the U.S. jointly maintain; (3) contributed to tensions which are not helpful to Greece; and (4) reduced American influence to move the Cyprus negotiations toward a peaceful conclusion acceptable to all parties.

The legislation voted against Turkey last December is sweeping in its effect. It is more extensive than similar legislation enacted in October, 1974, with which the Administration was in full compliance. The December legislation provides for not only a total embargo on grant military assistance, and cash and credit sales of defense items by the U.S. Government, but prohibits as well the issuance of licenses to permit the export of military equipment purchased from American firms. Practically all nations of the world can purchase in this country at least some items that are forbidden to Turkey. It is now impossible for Turkey to procure most items produced in third countries under U.S. license; nor can Turkey even take possession of merchandise in the U.S. which it paid for prior to February 5 and which is now ready for shipment. The result is that a relationship of trust and confidence with this important NATO Ally, built up over many years, has been seriously eroded. Continuation of the embargo risks further deterioration, jeopardizing our security interests throughout the Eastern Mediterranean area.

For all these reasons, it is my strong view that the Administration and the Congress must join in legislative action that will remedy the present situation. The form that legislation should take to achieve this end is for Congress itself to decide, but it is clear that only legislation can produce the actions which are necessary in this case.

I know that in the minds of many in the Congress there remains the issue of how American-supplied arms were used last summer. The Cyprus problem is one where neither moral nor legal judgments, on the arms issue or any other, can be easily or lightly made. Yet, the effect of the embargo is to ascribe blame totally to one of the parties in a dispute that has its roots in centuries of animosity and for which both sides must share some responsibility.

Where we can all agree, and where I believe we must all act together, is in our sense of anxiety and concern over the Cyprus problem and in a consensus that the only way to achieve what we all seek—a just and broadly acceptable settlement—is through negotiations in which we maintain maximum flexibility with all the parties. Unless some progress is made in the negotiations, the humanitarian plight facing the people of Cyprus, including particularly the refugee problem, cannot be solved.

The United States will continue to work, as it has done continuously since last July, as hard and as determinedly as possible to move the parties of the Cyprus conflict toward a negotiated settlement. Recent U.S. diplomatic activity in Ankara, Athens and Brussels has contributed to the start of a Greek-Turkish dialogue which has defused the tense situation and hopefully laid the groundwork for Greek-Turkish cooperation.

As we pursue our efforts, we want the continued friendship of both Greece and Turkey, and our sympathy and concern extend to all the people of Cyprus. We want an end to human suffering and misery, and the rebuilding of an island where all can live in freedom and security.

At present, our ability to urge this view persuasively is compromised by the erosion of our influence. I ask the Congress' cooperation and assistance, therefore, in enacting legislation which will assure that America's influence is not further weakened and U.S. interests further threatened at this time of critical concern in Cyprus and throughout the Eastern Mediterranean.

Sincerely,

GERALD R. FORD.

## RESOLUTION OF INQUIRY—THE MISSING FACTS BEHIND A FUNDAMENTAL CHANGE IN FOREIGN POLICY

(Mr. ROSENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks, and to include extraneous matter.)

Mr. ROSENTHAL. Mr. Speaker, I intended to call up for consideration today House Resolution 552, a resolution of inquiry requesting the President to provide to the House certain essential data on the administration's intended sale of two highly sophisticated mobile missiles to Jordan. The resolution of inquiry has only one purpose, and that is to gain information.

I have had a discussion with the distinguished chairman of the Committee on International Relations, and he has

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indicated that his committee is willing, under his distinguished guidance, to hold hearings next week. I think we can resolve this matter and not call the resolution up today.

Mr. MORGAN. Mr. Speaker, will the gentleman yield?

Mr. ROSENTHAL. I yield to the distinguished chairman of the committee.

Mr. MORGAN. Mr. Speaker, I agree with the gentleman from New York that the committee should get the facts regarding the proposed sale, and I will be glad to cooperate with him in making this happen. We will, as soon as possible, hold a hearing and refer this to the subcommittee and get started.

Mr. ROSENTHAL. I think that is perfectly satisfactory, Mr. Speaker.

Mr. MORGAN. Mr. Speaker, when the committee considered House Resolution 552 on June 26, it was tabled because the committee felt that the resolution involved an investigation and was not, therefore, entitled to privileged status.

At the same time, the committee is right now reviewing the whole military sales program—in the Oversight Subcommittee, in the Farnsworth subcommittee, and in the Hamilton subcommittee.

This review will go on.

I agree with the gentleman from New York that our committee should get all the facts regarding the proposed sale of Hawks—and I will be glad to cooperate with him in making sure that this happens.

We will, as soon as we are able, hold a hearing on this matter in the appropriate subcommittee and develop all the facts.

Mr. ROSENTHAL. Mr. Speaker, on May 5, 1975, the State Department announced an agreement in principle to sell the Government of Jordan two sophisticated anti-aircraft missile systems: the surface-to-air Hawk and the shoulder-fired Redeye. As of today, the Congress still has not received formal notification of that decision, made at least 2 months ago and possibly much earlier.

Because this sale is in excess of \$25 million—and probably will exceed \$100 million—a letter of offer to sell the missiles must be submitted to the Congress.

Last year the Foreign Military Sales Act was amended to allow advance congressional veto of major military equipment sales abroad—section 36(b). Congress can make an intelligent decision on this important responsibility only if it has all the relevant facts.

On June 18, 1975, I introduced a resolution of inquiry (H. Res. 552) requiring the President to supply those facts to the Congress. On June 25, 1975, the White House sent a 23-page letter and comments to the resolution of inquiry to the chairman of the Committee on International Relations. The text of both documents appears at the end of this statement.

On June 26, the Committee on International Relations tabled House Resolution 552, thus clearing the way for action by the full House. Therefore, I intend to call up for consideration my resolution of inquiry on Wednesday, July 9.

It is my considered judgment that the administration's verbose and repetitious letter is not responsive to the questions in the resolution of inquiry and that the administration, in making such a reply, demeans the congressional right to assemble all the pertinent facts. Moreover, this sale represents a fundamental shift in U.S. policy in the Middle East, a change that is neither acknowledged nor defended in the letter. In addition, the Jordanian deal will bring about a significant change in the balance of power in that part of the world—changes that threaten not only the stability of the Middle East but world peace as well.

The Hawk and Redeye are by no means "modest" missile systems, as characterized by the administration. The Hawk is a highly sophisticated weapon on a par with the vaunted Soviet SA-6. It is the basic air defense missile system used by the U.S. Army and Marines, and by seven NATO countries. It can be speedily set up and fired from mobile carriers. The solid-propellant rocket, employing radar homing, is exceptionally effective at low altitudes, as well as at maximum tactical heights, to a range of 22 miles.

The Redeye is no less awesome. Having been provided to only a handful of our closest and more stable allies, the shoulder-fired Redeye anti-aircraft system provides excellent coverage for advancing troops.

Hence, it is clear that neither system is a strictly defensive weapon. Both are designed to provide supplementary air cover in support of mobile offensive operations.

#### CONGRESS NEEDS FACTS

The Congress must have all the pertinent facts so that it may decide whether to support a resolution of disapproval pursuant to section 36(b) of the Foreign Military Sales Act.

The administration response is incomplete and inadequate and does not meet the standards required of a resolution of inquiry. This situation is best illustrated by the administration's treatment of the following:

First, joint Jordanian-Syrian command;

Second, balance of power in the Middle East;

Third, commitment of U.S. production capacity;

Fourth, control of access to weapons; and

Fifth, commissions and fees for arranging sale.

#### JOINT JORDANIAN-SYRIAN COMMAND

Clear proof of the deceptive nature of the administration letter can best be seen in the answer to question 17 on Jordanian joint military operations. The administration response states:

At this moment we know of no plans for the establishment of a joint military command between Jordan and any other country, and our decision to provide air defense weapons to Jordan reduces that possibility.

That letter was dated June 25, 1975, a full 13 days after Jordan and Syria announced just what the White House said they would not do—establish a permanent Joint High Commission to coordi-

nate political, economic, cultural and military policies.

This alliance rather than being prevented by the sale of U.S. Hawk missiles to Jordan was actually precipitated by the weapons deal. The sale was made public on May 5. Just 1 month and 1 week later, on June 12, Jordan and Syria sealed their alliance. The answer is not simply inaccurate, but it is a case of the White House deceiving itself, misleading the Congress, or being woefully out of touch with reality.

#### BALANCE OF POWER IN THE MIDDLE EAST

The resolution of inquiry calls for any written conclusions of the Departments of Defense and State with respect to the impact of the sale on the balance of power in the Middle East. It is essential that Congress have the views of both of these agencies. The administration response narrowly discusses the sale's role in military relations between Israel and Jordan alone. Surely the Defense Department considered the broader effect of the Hawk/Redeye sale. Many analysts are convinced that but for the decision to make such a sale, Jordan would have been unable to conclude an agreement for a joint military command with Syria. Jordan could not have participated in any plans for a united assault against Israel as long as its advancing armies lacked air defense. Moreover, the sale draws Jordan even further into the ranks of the Arab confrontation states as the price Jordan must pay for the Saudi Arabian funds necessary to finance the missile systems. It strains credence to believe that the administration failed to consider and provide for these frightening eventualities. The administration response is silent as to these basic issues.

#### COMMITMENT OF U.S. DEFENSE PRODUCTION CAPACITY

The resolution of inquiry requires the administration to furnish Congress with the amount of private production of the Hawk necessary to meet the terms of the sale contract. The Hawk is the principal surface-to-air defense missile of the U.S. Army and Marines and the armed forces of seven NATO allies. There is evidence that production of Hawks for Jordan would seriously impede such production for vital American security needs. The administration failed to respond at all on this critical point.

#### CONTROL OF ACCESS TO WEAPONS

House Resolution 552 calls for all written material pertaining to precautions being taken to insure that access to the missiles is restricted to Jordanian personnel.

In response, the administration merely recites that a provision will be inserted in the contract of sale which will have the effect of prohibiting the transfer of title or possession of the Hawk. And it then brushes that off by saying there is no way to insure absolute compliance. No material is provided with respect to any further precautions. Has the administration considered the possibility of a joint Arab military command under which control of the Hawk system would fall to Syrians or even Palestinians while title would remain with Jordan? Does the ad-

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a joint military command between Jordan and any other country, and our decision to provide air defense weapons to Jordan reduces that possibility.

(18) The relevant portions of all agreements, documents, letters, memorandums, and/or other written material in the possession of the executive branch which relate to all contacts, in person or otherwise, between personnel of the executive branch, including employees of the State and Defense Departments, and any representatives of private industry with respect, directly or indirectly, to the Hawk missile sale. "Representatives of private industry" includes, but is not limited to, all Raytheon Company employees and agents, all employees and agents of manufacturers of components of the Hawk missile system, and all employees and agents of any finance institution (including finance institutions controlled or affiliated with any foreign government).

The Department of the Army has not entered into any agreement with Raytheon Company (the manufacturer of Hawk) relative to sale of the system to Jordan. Raytheon Company and other contractors have furnished proposals for hardware in support of this sale, and the data is included in the U.S. Government's offer. Only upon acceptance of the Letter of Offer will the Department of the Army negotiate a contract with representatives of private industry. There has been no discussion with U.S. financial institutions. As discussed earlier, the Letter of Offer, if accepted, will be signed by the Government of Jordan which will then be held committed to meeting the financial obligations of the contract. We do not anticipate USG involvement in Jordan's negotiations to secure funds to meet these obligations.

Since the supply of Redeye missile system to Jordan would be from existing US Army assets, there would be no need for discussions with or transmission of documents to private industry.

(19) The relevant portions of all agreements, documents, letters, memorandums, and/or other written material in the possession of the executive branch which relate to all sales commissions or fees related, in whole or in part, to the Hawk missile system sale, payable by any entity involved in the sale to any person.

According to the Raytheon Company's proposal of June 9, 1975, it was stated that the company has agreements with representatives of Jordanian nationality to pay a fee of 2 percent of the contract price. This fee is included in the proposal as 2 percent of the "not to exceed" price. The names of person or persons acting as representatives on behalf of the Raytheon Company have not been furnished by the company. The question of whether these costs are properly allowable or will be disallowed will be resolved by the contracting officer during contract negotiations in accordance with applicable Armed Forces Procurement Regulations.

There are no fees involved in the Redeye missile transaction.

(20) With respect to the Redeye anti-aircraft missile system, all of the information sought by this resolution with respect to the Hawk missile system.

Data on the Redeye system has been answered in preceding paragraphs with that pertaining to Hawk.

INTRODUCTION OF THE OFFICIAL ACCOUNTABILITY ACT OF 1975

(Mr. KASTENMEIER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KASTENMEIER. Mr. Speaker, in

1973 I was joined by a number of my colleagues in introducing the Official Accountability Act, the result of substantial research into how to adequately provide a means of monitoring and controlling the acts of our civilian officials who were responsible for those activities in Southeast Asia which gave rise to worldwide protest as being outside the acceptable conduct of war.

Today, I am again introducing this proposal with the hope that its passage would fulfill the pledge that our Government has made to hold its own officials responsible for their role in the conduct of our foreign policy and in our role in military conflicts as we have done to officials of other nations, most notably after World War II.

In the last year or two it has become clear that this measure would also apply to situations which have come to the forefront of national concern—it would outlaw the kind of activities attributed to the Central Intelligence Agency which have recently come under serious scrutiny—subversion of foreign governments with which we were not at war and attempted assassinations. Just recently, the CIA's role in the overthrow of the Allende government in Chile has become all too painfully clear. This act would subject those officials responsible for ordering or actually committing acts of subversion or assassination to criminal sanctions and imprisonment.

It is a strong bill and one which is based on the premise that we need a method of forcing the individual officials within our Government to assume a greater and more carefully defined responsibility for their acts and for the policies they advance in the name of the people of the United States. We must relearn the lesson our forefathers taught us—that unchecked power leads to arrogance and arrogance to tyranny.

The recent history of U.S. involvement abroad illustrates the necessity for a reassertion of legal limitations on civilian and military officials in matters of war and peace.

The United States, historically, has been in the forefront of efforts to fashion legal limitation on recourse to war by nations. After World War I this concern was expressed in the Kellogg-Briand Pact which outlawed war as an "instrument of national policy," and which sealed the fate of the Nuremberg defendants. At the end of World War II, the Congress, the Executive, and the public insisted that violations of the laws of war be tried and punished in courts of law. The Nuremberg and Tokyo trials, the charter of the United Nations, the attempts to enact a code of war crimes—all reflected an impetus provided by American leaders.

These efforts were undertaken by some of the most experienced statesmen and politicians. Although critics charged that idealism and vengeance were the primary motivations, the fact was that our leaders were guided by the most pragmatic considerations. They realized that if war were to be proscribed, leaders and bureaucrats would have to be held responsible for their acts. Robert Jackson,

the Chief Counsel for the United States at the Palace of Justice in Nuremberg, summarized this view:

The ultimate step in avoiding periodic wars which are inevitable in a system of international lawlessness is to make statesmen responsible to law.

This tradition was only interrupted by the cold war and the creation of the national security system.

This bill establishes a code of legal responsibility for civilian officials charged with the operation of national security policy. It does so by incorporating the international laws and customs of war—to which this Nation already subscribes—into the Federal Criminal Code, and by establishing an institutional mechanism for the investigation and prosecution of violations of those laws. It, in essence, reiterates and strengthens our national commitment to lawful international behavior. To the international community, it upholds the principle of symmetry—declaring that the standards to which the United States has held the leaders of other nations accountable shall be equally applicable to the policymakers of this Nation. To the American public, it asserts the principle of official accountability—insuring that executive officials are responsible to the limitations of laws passed by the Congress.

There are at present no operative legal mechanisms by which civilian officials may be clearly charged with and prosecuted for violations of the laws of war. Members of the Armed Forces are held responsible under the Uniform Code of Military Justice, but civilian officials remain legally unaccountable. In an era in which civilian strategists increasingly plan a more active role in devising and directing military operations, this imbalance can result in the conviction of an enlisted man for implementing an illegal plan devised by an unaccountable civilian official. This bill would meet the pledge made at Geneva and redress this basic imbalance. It would make it far more likely that the United States would once again practice the restraints which its international treaties proclaim.

The weapons and strategies the military employed in Indochina were determined by the legally constituted heads of our civilian Government. We carpet-bombed North Vietnam, blasted forests, jungles, rice paddies, towns, and villages in South Vietnam and Cambodia, spewed flaming napalm on both friend and foe, defoliated hundreds of square miles of Asia, herded millions of people about the country like cattle, and crushed and made governments at will, because the Presidents of the United States either initiated or approved the use of these strategies of war in that land. Rarely has there been any evidence that the military of the United States violated any instructions of the administration in power regarding limitations on the use of weapons or the strategies to be employed.

As I noted, there is no operative legal standard at present by which civilian strategists—bureaucrats and officials—are clearly accountable. When no one is accountable for a crime, crime does pay.

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maintain its close ties to the U.S. The President approved the State Department recommendation for the dispatch of the air defense survey team to Jordan.

(5) Whether and when the request was referred to the systems project manager of a military service, and any recorded conclusions of that manager with respect to the sale, including conclusions as to price, delivery date, and private industry production needs, together with any record of the factors and considerations the manager brought to bear in making these conclusions.

Because of its complexity, the Jordanian request for air defense weapons was evaluated on the technical level by a team of experts from the Services under the auspices of the Office of the Joint Chiefs of Staff. The team was required to conduct an analysis based on in-country examination of Jordan's air defense posture to assist in reaching decisions on appropriate US assistance to Jordan in this area. The team, representing all Service views, surveyed the Jordanian requirements, analyzed the nature and adequacy of air defenses in Jordan in February 1974, and outlined options for an air defense system. The team's report described the estimated price and availability of the pertinent US weapons, the military impact of each option on neighboring countries, and the requirements for training and follow-on maintenance. In developing this information the team maintained contacts and obtained requisite information from appropriate logistical agencies and systems managers within the military Services.

(6) Whether and when a price and availability statement was prepared by the systems project manager with respect to the requested sale, and the contents of that statement.

## ANSWER

Price and availability data, and suitability of Hawk, Redeye and other weapons systems were considered by appropriate Service representatives, including project managers. Some changes in price and availability have taken place since the original analysis.

(7) Whether the statement referred to in paragraph (6) was presented to the Government of Jordan, and any reactions of that Government to the statement?

## ANSWER

During the regular conference between US and Jordanian military representatives held in early 1975, US officials briefed representatives of the Jordanian Armed Forces on the findings of the air defense team. As a result of this discussion the Jordanians made some minor refinements in their proposed air defense package, and confirmed their desire to purchase Hawk, Redeye and other air defense weapons.

(8) The identity of any other person or persons in the Executive Branch, including the President, the Secretaries of State and Defense, and any member or members of the Interagency Security Assistance Program Review Committee, who evaluated the request, when each such evaluation was made, and any recorded conclusions of each evaluating person as to the potential impact of the requested sale on the balance of power in the Middle East, relations with Israel, the defense of Israel and Israeli-administered territory, relations between Jordan and the Arab States, relations between Jordan and the Soviet Union, relations between Jordan and the Palestinians, the political stability of Jordan, including the maintenance in power of the Hussein regime, and the economic conditions in Jordan.

As noted in the reply to question number four, factors such as balance of power in the Middle East, relations with Israel, etc., were all considered as part of the process of reaching a final decision on the offer of air defense weaponry to Jordan. These factors were analyzed by the appropriate govern-

mental agencies. The President made the final decision on the offer of air defense weapons to Jordan based on the comments and recommendations of his principal national security advisers.

(9) The contents of any letter of offer prepared with respect to the requested sale, and whether such a letter of offer was presented to the Government of Jordan, together with any reactions of that Government to any such letter so presented.

## ANSWER

The Letter of Offer will consist of the standard legal conditions which outline the liabilities and agreements between the purchaser and the United States Government pursuant to the Foreign Military Sales Act, as amended. The Letter of offer will also list major items together with all supporting equipment necessary for making the system operational by quantity, estimated price and delivery commitment time frame and technical information essential for complete understanding of the implementation phase of the sale after acceptance. The Letter of Offer has not yet been completed and has not been presented to the Congress or the Government of Jordan, therefore no reaction to its contents has been received.

(10) The details of any financing arrangements made by Jordan for such sale, including sources of funds, cash, and credit terms, and any other explicit or implicit conditions of financing.

The financial arrangement between the United States Government and the Government of Jordan will be entered on the Letter of Offer as a dependable undertaking in accordance with Chapter 2, Section 22 of the Foreign Military Sales Act, as amended. Under these terms the Government of Jordan makes a firm commitment to pay the full cost of the contract and to make available all necessary funds in such amounts and at such times as demanded by the Department of Defense. Jordan has not requested, and the USG has not offered either grant or credit assistance for the purchase of air defense weapons. The Administration understands that Jordan can expect assistance from friendly Arab governments in financing the Hawk and Redeye purchases.

(11) At what point, if any, the sale is to be referred to the Congress pursuant to the provisions of the Foreign Military Sales Act, as amended.

The Letter of Offer is currently being staffed within the Executive Branch. It is anticipated that this staffing will be completed in time for the proposed Letter of Offer to be reported to Congress sometime late in July or early August.

(12) The detailed substance of the communication (and its date) of the favorable disposition of the Government of the United States toward the requested sale, and whether any conditions were placed by the United States on the making public of the fact or substance of such communication.

On April 15, the President approved the recommendation of the Department of State and Defense that the US agree, in principle, to sell the HAWK system, as well as other air defense weapons, to Jordan. Our Ambassador in Amman communicated this decision to King Hussein prior to his visit to Washington.

By the time of King Hussein's visit to Washington in April 1975, the Jordanians had submitted their final requirements to the Department of Defense. The President took the Jordanian assessment of its requirements into account in making the final decision to provide air defense equipment and training to Jordan, including the HAWK and REDEYE. This decision was communicated to King Hussein during his visit on April 29.

The USG placed no conditions upon making it public (see question 13).

(13) The date and substance of the first

announcement by the United States Government of the sale, and the recorded conclusions, if any, of the executive branch as to the effect of such announcement on United States relations with Israel and Jordanian relations with the United States, the Soviet Union, other Arab States, and the Palestinians.

The air defense decision was not announced, since we do not as a matter of general policy announce decisions to proceed with preparation of a Letter of Offer. In early May the Department of State did respond to questions from the press about the sale of air defense weapons to Jordan by noting that, in the Department's view, the sale of such weapons would not upset the balance of power in the region.

(14) A description of the function, purpose, mode of operation, and offensive and defensive capabilities of each of the principal components of the Hawk and Redeye missile systems will be provided separately, on request, in classified form.

(15) The identities of those nations to which the United States has furnished, or to which the United States has made a commitment to furnish, directly or indirectly, each of the components referred to in paragraph (14).

The following countries have been provided with the Hawk Missile System: Israel, Greece, Iran, Korea, Taiwan, Japan, Kuwait, Spain (under Foreign Military Sales procedures); Saudi Arabia, Belgium, the Netherlands, Federal Republic of Germany, France, Italy, Sweden and Denmark (under commercial contract).

The United States has agreed to furnish the Redeye system to the following countries besides Jordan: Israel, Australia, Sweden, Greece, Federal Republic of Germany and Denmark.

(16) The relevant portions of all agreements, documents, letters, memorandums, and/or other written material in the possession of the executive branch which relate to all precautions being taken to insure that access to the Hawk missile system, and to technical information about its components, whether sold or given to Jordan, does not extend, directly or indirectly, beyond Jordanian personnel.

The proposed LOA for the Hawk missile system will contain a standard provision which carries out the intent of section 3(a) of the FMSA. This provision states that none of the defense articles, components, associated equipment, or technical information provided under the sales agreement can be transferred to any person, organization, or other government without the written consent of the USG.

Moreover, DOD carefully evaluates a potential recipient country's ability to maintain the security of US-supplied equipment, and the ability to provide such security is required before sales are made.

(17) The relevant portions of all agreements, documents, letters, memorandums, and/or other written material in the possession of the executive branch which relate to all precautions being taken to insure that neither the Hawk missile system nor any of its components falls under the command, directly or indirectly, in whole or in part, of other than Jordanian personnel, including any steps which are being or which shall be taken to prevent the conclusion of agreements for joint military command between Jordan and any other country.

The no-transfer provisions described in question (16) would prohibit Jordanian air defense equipment supplied by the US from coming under the command of other than Jordanian personnel. There is, of course, no way to ensure absolutely that Jordan will comply with US laws under all conditions. However, the Jordanian record of compliance has been excellent. At this moment we know of no plans for the establishment of



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And in the last 10 years, war crimes in Indochina paid off daily in promotions for managers at all levels of the U.S. bureaucracy of death while the only pay-off for the citizens of Southeast Asia was death and devastation. Clearly, the time is past due when we should lay out a very different framework within which our officials operate—one that insists that certain things are, indeed, not permissible. We must insure that we will no longer face situations where the practices of war would be affected most profoundly by what a military commander or a civilian strategist could get away with at a particular time.

This bill seeks to take a first step to a return to accountability. It amends title 18 to provide for national security crimes—taking as its guide those standards to which this country is already committed and which it has already applied to the behavior of others. The provisions prohibit the waging of aggressive war, and the commission of war crimes—murder, torture, destruction not justified by military necessity, and bombing of civilian populations. The bill establishes an independent legal office for national security affairs—modeled after the General Accounting Office—which is empowered to investigate and, if necessary, prosecute violations of this act.

This Nation was founded on the principle that every citizen and official is responsible to law. To be free entails that one must also accept responsibility for his actions. To be freely governed, we must hold strictly accountable those entrusted with leadership. Either there will be a rule of responsibility or there will be a rule of irresponsibility—by officials who feel themselves beyond the law, and above the law.

It is time to return to our traditions, to search for moral guidelines and legal principles which will reassert the notions of law, personal responsibility and peaceful relations upon which our Nation was founded. We in the Congress must now begin a slow process of postwar reconstruction.

It is to strengthen that principle that I introduce this bill which simply requires what every American must demand that no person be above the law because of the loftiness of their position, the depth of their wealth, or the stealth of their actions.

Mr. Speaker, I would like to take this opportunity to include at this point a memorandum in explication of the bill which offers a more detailed analysis of its background and contents:

MEMORANDUM IN EXPLANATION OF THE OFFICIAL  
ACCOUNTABILITY ACT

Section 2

Section 2 outlines the purposes and justifications for the proposed bill. The primary function of the bill is to reassert a national commitment to lawful international behavior by incorporating the international laws and customs of war into the federal code, and establishing an institutional mechanism for the investigation of, and possible prosecution of, violations of those laws.

Historically, the United States has led the attempt to fashion legal limitations on recourse to war as an instrument of national policy. After World War II, this historical tradition found expression in the insistence

of the Congress, the President, and the American public that violations of the accepted norms of international behavior be punished in courts of law. The post-war tribunals were convened not merely in a spirit of vengeance, but in the hope that lawful behavior could be enforced upon national policy-makers in the future. Robert Jackson, at the time Chief Counsel for the United States at the Palace of Justice in Nuremberg, stated the prevailing sentiment that, "(t)he ultimate step in avoiding periodic wars which are inevitable in a system of international lawlessness is to make statesmen responsible to law." He therefore announced that it was the view of the United States that "(w)hile this law is first applied against German aggressors, if it is to serve any useful purpose it must condemn aggression by any other nations, including those which sit here now in judgment."<sup>1</sup>

This historic initiative was stalled by the obstacles of the Cold War. For the United States, the post-war years featured the growth of Executive license in the management of foreign and military policies. A result of this internal lack of accountability was an increasing disregard for restraints of international laws, most of which were Congressionally mandated.

With this bill, the Congress would reassert its power to pass laws which regulate the behavior of Executive officials, and would reiterate the national commitment to lawful international behavior. Substantively, the bill expresses two fundamental principles. To the international community, it upholds the principle of symmetry—declaring that the standards to which the United States has held the leaders of other nations accountable shall be equally applicable to the policy-makers of this nation. To the American public, it asserts the principle of official accountability—insuring that Executive officials are responsible to the limitations of laws passed by the Congress.

The necessity for such legislation is clear. The Geneva Conventions of 1949 which have been ratified by the Senate contain the common pledge that:

"The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following Article.

"Each High Contracting Party shall be under the obligation to search for persons alleged to have committed or ordering to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts . . ."

In spite of this pledge, there are at present no operative legal mechanisms by which civilian officials may be clearly charged with and prosecuted for violations of the laws of war. Members of the Armed Forces are held responsible under the Uniform Code of Military Justice, but civilian officials remain legally unaccountable. In an era in which civilian strategists increasingly play a more active role in devising and directing military operations, this imbalance can result in the conviction of an enlisted man for implementing an illegal plan devised by an unaccountable civilian official. This bill would meet the pledge made at Geneva and redress this basic imbalance. It would make it far more likely that the United States would once again practice the restraints which its international treaties proclaim.

TITLE I

Section 2551. Persons subject to this part

This section defines the class of persons covered by the proposed bill. Under its provisions, all civilian federal employees would be covered. Moreover, persons receiving com-

Footnotes at end of article.

pensation from the U.S. under contract or subcontract are also covered.

Section 2552. Prohibitions

Section 2552 outlines the laws and customs of war to which officials will be held accountable. The general language of 2552(b) incorporates the laws and customs of war which the United States recognizes as a member of the international community. The listing of some violations with specificity in 2552 (b)(1-2) and (c)(1-5) is therefore not intended to be comprehensive. The bill assumes, as the post-war tribunals assumed, that the conventional and customary laws of war are sufficiently clear to make specific drafting of every standard unnecessary. This position was affirmed by the Supreme Court in the case of *in re Yamashita* 327 U.S. 1. In taking an oath of allegiance to the laws and Constitution of the United States, federal employees already pledge themselves to follow such norms.

Section 2552(a) proscribes wars of aggression and wars in violation of international treaties or agreements. The language parallels that of Principle VIa(1) of the Nuremberg Principles, and adheres to the fundamental distinction between wars of aggression and defensive wars.

Modern American support for this principle may be traced to a Senate Resolution introduced by Senator William Borah, formerly Chairman of the Senate Foreign Relations Committee. The resolution declared that "It is the view of the Senate of the United States that war between nations should be outlawed as an institution or means for the settlement of international controversies by making it a public crime under the law of nations. . . ." The direct result of this resolution was the Kellogg-Briand Pact of Paris of 1928 which outlawed war as an "instrument of national policy," and specified that such war is "illegal in international law."<sup>2</sup>

In the aftermath of World War II, the distinction between aggressive and defensive war was once again asserted. Fifteen German leaders and twenty-four Japanese leaders were found guilty of waging a war of aggression and held criminally liable.<sup>3</sup> At the initiative of the United States in 1945, the General Assembly of the United Nations unanimously affirmed "the principles of international law recognized by the Charter of the Nuremberg Tribunal" in Resolution 95 (I). At the direction of the membership of the United Nations, the International Law Commission formulated the principles of Nuremberg in 1950. One of them summarized the proscription against wars of aggression, declaring such war to be a "crime against peace."<sup>4</sup>

The same fundamental commitment to peaceful resolution of international conflicts is reflected in the United Nations Charter. Article 2(4) of the Charter provides that "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations."<sup>5</sup> Article 51 declares that "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense, if an armed attack occurs against a Member of the United Nations. . . ." Section 2552(a) therefore merely codifies a distinction and standard to which the United States is already committed, and to which it has already held others accountable.

The Section forbids planning of or preparation for a war of aggression as well as its initiation or waging. This follows the Nuremberg standard which outlawed "planning, preparation, initiation or waging of a war of aggression." This standard is crucially important in deterring wars. Plans or

preparations for an aggressive war create a threat to which the target state must respond if its leaders are responsible. That response sets in motion the deteriorating spiral of threat and counter-threat which often results in war. The state which undertakes the initial planning or preparation must therefore be held legally responsible. Needless to say, the section does not outlaw contingency planning for defensive reactions to the aggressive acts of other states.

Section 2552(b) proscribes violations of the laws and customs of war, enacting the standards which govern behavior once armed conflict has been initiated. As demonstrated in the post-war trials, this generic category is a term of art in international law defining war crimes generally recognized by the international community. All such crimes are prohibited under this paragraph even if not included in the listing of 7002(b) (1-3). Under Article I, Section 8, Clause 10, of the Constitution, Congress is empowered to "define and punish . . . offenses against the law of nations." This does not mean that in every case Congress must codify that law or mark its precise boundaries before prescribing punishments for infractions thereof. In *Ex parte Quirin*, the Court found that by a reference in the Fifteenth Article of War to "offenders or offenses that . . . by the law of war may be triable by such military commissions" . . . Congress had "exercised its authority to define and punish offenses against the law of nations by sanctioning . . . [the trial of persons] for offenses which, according to the rules and precepts of the law of nations, and more particularly the law of war, are cognizable . . ." 317 U.S. 1, 28 (1942).

Section 7002(b) (1) prohibits inhumane treatment of prisoners of war or civilian populations in other nations. Protection of civilian persons in time or war is governed primarily by the provisions of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949 (hereinafter referred to as the Geneva Convention-Civilians).

Article 3 of that convention—an article common to all of the conventions of 1949—mandates humane treatment for all "(p)ersons taking no active part in the hostilities." In furtherance of this standard, the article proscribes the following actions among others: "Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; taking of hostages; outrages upon personal dignity . . ." This guarantee extends to all noncombatants "at any time and in any place whatsoever."

Article 49 of the Geneva Convention-Civilians prohibit "individual or mass forcible transfers as well as deportation," from the "occupied territory to the territory of the Occupying Power . . ." Article 147 defines as "grave breaches" numerous acts including, *inter alia*, "wilful killing, torture or inhuman treatment, . . . unlawful deportation or unlawful confinement."

Principle VIIb of the Nuremberg Principles defines the following acts among others as war crimes: "murder, ill-treatment or deportation to slave-labor or for any other purpose of civilian populations of or in occupied territory . . ."

These provisions are recognized as governing the actions of American forces in the field, as illustrated by the Department of Army's *Field Manual on the Law of Land Warfare*. Section 7002(b) (1) thus merely summarizes conventional laws already applicable to the United States.

Section 2552(b) (2) prohibits pillage and unjustified destruction of public or private property. Pillage has been specifically outlawed in Articles 28 and 47 of the Hague Convention No. IV of 18 October 1907 Respecting the Laws and Customs of War on Land, and the Annex, embodying the Regu-

lations Respecting the Laws and Customs of War on Land (hereinafter referred to as the Hague Regulations).<sup>10</sup> Article 33 of the Geneva Convention-Civilians reiterates the proscription; paragraphs 47, 272 and 397 of the Field Manual reflect American recognition.

The general prohibition of destruction not justified by military necessity is based upon both the distinction between unlawful and lawful objectives and the principle of proportionality. The former is derived from the declaration of Article 22 of the Hague Regulations that "the belligerents have not an unlimited right as to the means they adopt for injuring the enemy," an assertion which applies both to weapons used and methods of fighting adopted.<sup>11</sup>

Essentially, the distinction between lawful and unlawful objectives seeks to protect civilians and institutions of a civilian nature from destruction during time of war. Thus, Article 25 of the Hague Regulations prohibits the "attack or bombardment, by whatever means, of towns, villages, dwellings or buildings which are undefended." American recognition of the distinction is illustrated by the Army Field Manual which provides that bombardments from the air of combatant troops, defended places, or other legitimate military objectives are not prohibited.<sup>12</sup>

It has been suggested that the massive bombing and devastation wrought during World War II, the Korean War and the Vietnam War erased the distinction in practice. However, in each of these conflicts, the belligerents on both sides continually reasserted their adherence to this fundamental distinction, and sought to justify their actions within its limitations. It is now generally accepted that international practice since World War II has demonstrated that the *opinio juris* concerning the legal distinction between lawful and unlawful objectives is indeed permanent.<sup>13</sup>

The distinction between lawful and unlawful objectives is important because it limits the notion of military necessity. There can be no attacks upon unlawful objectives even if justified by the most dire military straits. As the Nuremberg Military Tribunal stated:

"It is an essence of war that one or the other side must lose, and the experienced generals and statesmen knew this when they drafted the rules and customs of land warfare. In short these rules and customs of warfare are designed specifically for all phases of warfare. They comprise the law for such emergency. To claim that they can be wantonly—and at the sole discretion of one belligerent—disregarded when he considers his own situation to be critical, means nothing more or less than to abrogate the laws and customs of war entirely."<sup>14</sup>

The notion of military necessity therefore is acceptable only within the limitations of law and refers only to the destruction of lawful targets. Lawful objectives may be destroyed in accord with military necessity.

This limit of proportionality seeks to lessen unnecessary human suffering and material destruction. Thus, Article 23g of the Hague Regulations prohibits the destruction or seizure of "the enemy's property, unless such destruction or seizure be imperatively demanded by the necessities of war." Article 53 of the Geneva Convention-Civilians prohibits any destruction of real or personal property belonging to "private persons, or to the State, or to other public authorities or to social or cooperative associations . . . except where such destruction is rendered absolutely necessary by military operations." This principle of proportionality is also incorporated in the Army Field Manual.<sup>15</sup> Principle VIIb of the Nuremberg Principles defines as a war crime, the "plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity." Thus 3(h) (2) also would enact a principle to which the United States

already subscribes and to which it has already held other officials of other nations accountable.

Section 2552(b) (2) also prohibits inhumane treatment of prisoners of war. Both the Hague Regulations and the Geneva Convention Relative to the Treatment of Prisoners of War (hereinafter referred to as the Geneva Convention-Prisoners) have extensive and detailed provisions concerning the treatment of prisoners of war. The language of this paragraph is intended to incorporate those provisions.

It should be noted that under the Geneva Convention, even those members of resistance movements and insurgencies who violate the standards of military organization (e.g., wearing a distinctive uniform or sign recognizable at a distance) are accorded the minimum protections of Article 3. This article prescribes humane treatment for all persons "taking no active part in the hostilities including members of armed forces who have laid down their arms . . ."

In the post-World War II trials, moreover, American authorities defined as a major offender in post-war Germany anyone who "is responsible for outrages, pillaging, deportations or other acts of brutality, even if committed in fighting against resistance movements."<sup>16</sup> A student of this period has noted that the American representatives "promulgated the view in Germany that resistance movements had to be treated with the same attention to rules of war as armies in 'proper' insignia and badge."<sup>17</sup> Thus the provisions of Section 2552(b) (2) reflect the standards enforced by American authorities in post-war Germany.

Section 2552(c) lists specific acts as violations of the laws and customs of war and of this bill. The section does not purport to be comprehensive, but merely to indicate some acts which should not be condoned under this bill.

Paragraph 1 of Section 2552(c) prohibits the bombing of civilian populations for the purpose of terrorizing. Paragraph 2 of Section 2552(c) prohibits the destruction of crops or livestock or natural habitat unless imperatively demanded by the necessities of war.

Both of these paragraphs elaborate the distinction between lawful and unlawful objectives which was discussed in reference to 2552(b) (2). Needless to say, bombings of civilian populations for the purpose of terrorizing are unlawful objectives in armed conflict.

The limitation on the destruction of property has two major applications. First, it limits the property which can be expropriated, converted or destroyed in the conduct of military operations (e.g., troop maneuvers, construction of bases, placement of air strips), requiring that such usage be held to a strict and imperative minimum.

Second, it limits targets which may legitimately be destroyed in an enemy country. Enemy crops and livestock are not legitimate military targets. To include them as such would legitimize the mass starvation of civilian populations. Agriculture is therefore considered a civilian occupation in which prisoners of war may lawfully be put to work) under Article 50 of the Geneva Convention-Prisoners. Any destruction of the natural habitat must be imperatively demanded by a military necessity, a standard which at the very minimum requires a close connection between the "destruction of property and the overcoming of the enemy's army."<sup>18</sup>

Section 2552(c) (3) prohibits the overthrow of the leadership of another nation by force, violence or bribery. Nonintervention in the internal affairs of other states has been a principle constantly supported by American leaders. While one may question the desirability of total nonintervention, this

<sup>10</sup>Quoted at end of article.

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paragraph prohibits only unilateral intervention by force or bribery for the purpose of overthrowing the leadership of another nation, it is well within the minimally accepted international principle of nonintervention. The Charter of the United Nations provides that "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or any manner inconsistent with the Purposes of the United Nations."<sup>10</sup> The unilateral use of force, threat of force, or bribery to overthrow a government may be considered an act of war. Therefore, Section 2552 (c) (3) falls well within the limitations of the international rule.

Section 2552(c) (4) prohibits the use of biological weapons in any form. The use of weapons is governed by the general interdiction of the Hague Regulations that "the right of belligerents to the conflict to adopt means of injuring the enemy is not unlimited." Biological weapons were included in the prohibitions of the Geneva Protocol of 1925 which was signed on behalf of the United States but has not yet been ratified by the Senate. By December 1969, eighty-four states had ratified it.<sup>20</sup> In December, 1969, the General Assembly of the United Nations passed a resolution declaring that the Geneva Protocol "embodies the generally recognized rules of international law prohibiting the use in international armed conflicts of all biological and chemical instruments of warfare."<sup>21</sup> Indeed, virtually every student of the law agrees that the prohibitions formulated in the Protocol have been transformed into a rule of international customary law. No state has ever claimed the right to use biological or bacteriological weapons. The United States has repeatedly affirmed its agreement with the objectives of the Protocol. In November, 1969, President Nixon announced that "The United States shall renounce the use of lethal biological agents and weapons and all other methods of biological warfare." Section 2552 (c) (4) merely reaffirms this pledge and associates the Congress with it.<sup>22</sup>

Section 2552(c) (5) proscribes agreements between federal officials and private individuals or associations to achieve indirectly what is prohibited in the bill. This prohibition of the use of civilian deputies adheres to the standard applied in the post-war tribunals.<sup>23</sup>

Section 2552(d) lists the sources of international laws which are incorporated into the criminal code by this bill. The list reflects a commitment by the United States to adhere to and enforce those standards which the United States and the international community as a whole have established for international behavior. It also expresses a willingness to apply the laws enforced in the post-war period on officials of other countries to American officials.

#### Section 2253. Defense of superior

Section 2253(a) provides that superior orders are not a defense to the commission of a war crime. The wording here simplifies the Army Field Manual's elaboration on the Nuremberg Principle, but retains its concern for an objective standard of knowledge and responsibility.<sup>24</sup>

Section 2253(b) reiterates Principle III of the Nuremberg Principles, incorporated in paragraph 510 of the Army Field Manual, and removes official immunity from those officials who commit war crimes.<sup>25</sup>

#### Section 2254. Sanctions

The sanctions reflect the need to punish those who violate minimal standards of behavior in the management of national security policy. Crimes against the peace and war crimes are among the most fundamental violations of the social order proscribed by the law. The seriousness of the defense need not be measured by the severity of punishment. Rather the enforcement process itself

should serve the purpose of publicly condemning such acts.

Therefore the penalties listed here are not severe. Provision is made for offenders. Such a sentence seeks to reintegrate the offender with the social order at a different level. An offender might be sentenced to serve as a health aide in a hospital. He becomes reacquainted with social ties and norms at an immediate and human level. Such service will rid him of the insulation and arrogance which led him to ignore the fundamental dictates of humanity.

#### TITLE II: ADMINISTRATION AND ENFORCEMENT

Section 3101 and 3102 establish the Legal Office of National Security Affairs which, like the General Accounting Office, is to be independent of the executive departments.

The National Security Solicitor and Assistant Solicitor are to be appointed by the President with the advice and consent of the Senate as mandated by Article II, Section 2 of the Constitution. Their term of office mirrors that of the Comptroller General. Section 3102(b) (3) provides that either may be removed by a concurrent resolution which cannot be vetoed by the President. This provision is intended to protect against the selection of a Solicitor who feels indebted and responsible to the President. It seeks to increase the Solicitor's independence from the President and emphasize his responsibility to the Congress. The Congress has an unquestionable power to pass an act which permits repeal of an action by the President (in this case the appointment) by concurrent resolution. Section 3102(c) (1) and (2) make provision for the pay and retirement of the Solicitor and Deputy Solicitor, making these similar to that of the Comptroller General and the Assistant Comptroller.

Section 3103 outlines the authority of the Solicitor to make the appointments and establish the regulations necessary to manage the Legal Office.

#### Section 3104. Powers and duties of solicitor

Section 3104 outlines the powers and responsibilities of the National Security Solicitor. The Solicitor shall be responsible for enforcing the provisions of this bill upon enactment. Enforcement may be sought by criminal prosecution and injunctive proceedings. The Solicitor replaces the Attorney General in enforcement of the crimes listed in this bill.

Section 3104(b) provides for periodic open hearings at which citizens may provide information germane to the provisions of this bill to the Solicitor and to the public at large. It is hoped that such hearings will help inform and educate the public about the nature of such issues.

Section 3104(c) provides that the Solicitor may provide advice and opinions on proposed programs or activities to the President or the Congress. Such opinions may forestall the initiation of programs which violate the provisions of the bill and thus avoid unnecessary criminal or civil proceedings. By their nature, such opinions are merely advisory and do not foreclose later action by the Solicitor. Publication of the Solicitor's opinions must adhere to classification regulations. It is hoped that the publication of various opinions will stimulate the education of the legal community and the bureaucracy in such matters.

Section 3104(d) mandates the Solicitor as a matter of first priority to prepare a detailed code of war crimes which includes recommendations for up-dating the laws to which the United States subscribes. This code, modeled perhaps on the form of the Army Field Manual, can then be considered in detail by the Congress for passage into law. Enforcement of the provisions of this bill does not depend on subsequent passage of such a code.

#### Section 3105. Injunctions

Section 3105 outlines the procedure for civil proceedings to enjoin programs in violation of the act. Injunctive relief is a supplementary remedy to normal criminal prosecution under the act. The Section provides the standard procedure for seeking injunctive relief before a three judge court. A three judge court is provided for because it is assumed that such suits will be of utmost gravity and importance.

#### Section 3106. Miscellaneous rules

Section 3106(a) empowers the Solicitor to collect information necessary to enforce the provisions of this bill. The Solicitor is empowered to collect information normally unavailable because of the exemptions and privileges which have been developed and espoused by the Executive in the post-war period. As with other Executive officials, the Solicitor must make a showing of "his need to know" such information if it is classified. The language quotes that used in Executive Order 11652. The power delineated here is similar to that given to the Comptroller General in 31 U.S.C. 54.

Section 3106(b) provides for protection of persons who disclose information to the Solicitor. The intent is to protect employees who fulfill their legal obligation under the Nuremberg Principles and reveal information to the Solicitor concerning the commission of violations of this act.

#### FOOTNOTES

<sup>1</sup> Opening Statement at Nuremberg by Robert Jackson, 1945, Department of State Document No. 27833, 1947.

<sup>2</sup> See e.g., Article 145, Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949, *TIAS* 3365.

<sup>3</sup> As quoted in Raskin, Marcus, *Being and Doing* (1972) p. 52.

<sup>4</sup> 94 *League of Nations Treaty Series* 57.

<sup>5</sup> Taylor, Nuremberg and Vietnam (1971) p. 82.

<sup>6</sup> For a discussion of the role of the United States see Asamoah, *The Legal Significance of the Declarations of the General Assembly of the United Nations* (1968) p. 122f.

<sup>7</sup> See Falk, *Legal Order in a Violent World* (1968) p. 63f.

<sup>8</sup> *Op. cit.* n. 2.

<sup>9</sup> Department of Army, *The Law of Land Warfare*, Field Manual FM 27-10 (1956).

<sup>10</sup> 36 *Stat* 2277; *Treaty Series* 539.

<sup>11</sup> See Blindschelder-Robert, *The Law of Armed Conflicts*, Carnegie Endowment for Peace (1969), pp. 14-27.

<sup>12</sup> *Opt. Cit.*, Army Field Manual, par. 42. See also pars. 33, 39 and 56.

<sup>13</sup> See e.g. Oppenheim, *International Law*, 7th ed. (1952), p. 524; Schwarzenberger, *Self-Defense Under the Charter of the United Nations and the Use of Prohibited Weapons*, *International Law Association Report* (1962), p. 214; Spaight, *Air Power and War Rights*, 3d ed. (1947), p. 277; Adler, Gerald L., *Targets in War: Legal Consideration*, in Falk, in *Viet-Nam War and International Law*, vol. 3, p. 296.

<sup>14</sup> *Trials of War Criminals Before the Nuremberg Tribunal*, Vol. 9: The Trial of A.F.A. Krupp, Halback and Eleven Others (1950) p. 1347.

<sup>15</sup> *Op. Cit.*, Army Field Manual, par. 56.

<sup>16</sup> Department of State, *Occupation of Germany—Policy and Progress 1945-1946*, p. 13.

<sup>17</sup> Raskin, Marcus, "The Case for Legal Action on War Crimes," *University of Chicago Magazine*, November 1972, p. 25.

<sup>18</sup> *Op. Cit.*, Army Field Manual, par. 56.

<sup>19</sup> Article 2(4) of the United Nations Charter.

<sup>20</sup> General Assembly Resolution 2603A (XXIV), 16 December 1969.

<sup>21</sup> See e.g., Schwarzenberger, *op. cit.*, p. 219.

<sup>22</sup> The President's statement is quoted in Falk et al., *The Crimes of War* (1971) p. 62.

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\* *Trials of War Criminals Before the Nuremberg Tribunal*, The Trial in Re List and Others (1950).

\* *Op. Cit.*, Army Field Manual, par. 509.

\* *Ibid.*, par. 510.

## THE BURN FACILITIES ACT OF 1975

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, I am introducing legislation today, that is designed to aid the 300,000 Americans that are scarred and injured by fire each year, and the 50,000 individuals that are hospitalized for periods lasting from 6 to 2 years.

The striking aspect of the Nation's fire problems is the indifference with which Americans confront the subject. The statistics quoted above are impressive in their size, though perhaps not scary enough to jar the average American from his confidence that "It will never happen to me." In a Washington hearing the National Commission on Fire Prevention and Control heard testimony from the parents of a 3-year-old boy who caught fire after playing with matches. They described the horror of the accident, the anxiety while awaiting the doctors' reports, the long weeks of separation during painful treatment, the remaining scars, and the many operations that lie ahead. Multiply that experience by the 300,000 Americans who are injured by fire each year, and the Nation's fire problem becomes very immediate and very fearsome.

Mr. Speaker at present, fewer than 100 of the 6,000 general hospitals in the United States provide specialized care that is needed to provide adequate treatment to burn victims. Together these few hospitals treat only 8 percent of the Nation's patients to serious burn injuries. In 1973, there were only 20 hospitals in the Nation with burn units—that is, specialized facilities of at least four beds used only for burn victims. In addition, only 46 hospitals are known to have burn programs—a staff of burn injury specialists but not separate facilities.

I would like to take this opportunity to honor the firefighters from Westchester County, N.Y., and the New Rochelle firefighters in particular, who have led the community in working to establish a burn center at the Westchester Medical Center, which is associated with the New York Medical College. They have done a yeoman's job in organizing a Burn Center Committee, which over the past 2 years has been engaged in raising funds, and informing the public of the need for a specialized burn center in the Westchester County area.

There is obviously a great need for additional burn centers in the United States, and also less elaborate facilities to handle less serious cases. Therefore, Mr. Speaker, I am introducing legislation that initiates the immediate establishment of 12 additional burn centers, 24 additional burn units, and the upgrading of existing burn programs to more adequately meet the serious need for burn treatment facilities.

The text of the legislation is as follows:

H.R. 8433

A bill to assist the construction and operation of burn facilities

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Burn Facilities Act of 1975."

SEC. 2. (a) The Congress finds—

(1) that The National Commission on Fire Prevention and Control, established pursuant to Public Law 90-259, has made exhaustive and comprehensive examination of the Nation's fire problem and has made detailed findings as to the extent of this problem in terms of human suffering and loss of life due to fire;

(2) the United States today has the highest per capita rate of death from fire of all major industrialized nations in the world (57.1 deaths per million versus only 39.7 deaths per million for the industrialized nation with the next to the worst record);

(3) fire kills twelve thousand and scars and injures three hundred thousand Americans each year, including fifty thousand individuals who must be hospitalized for periods lasting from six weeks to two years;

(4) firefighting is the Nation's most hazardous profession, with a death rate of 15 per centum higher than that of the next most dangerous occupation;

(5) the unacceptably high death and injury losses from fires can be reduced if the Federal Government establishes a coordinated program to initiate the establishment of new, and upgrading of existing, burn centers, burn units, and burn programs;

(6) The National Commission on Fire Prevention and Control concluded that the fire problem is exacerbated by—

(A) "the indifference with which Americans confront the subject";

(B) the Nation's failure to undertake significant amounts of scientific research and development into fire and fire related problems; and

(C) the limited number of places in the United States that have burn treatment centers which are properly equipped and staffed to save lives and rehabilitate the victims of fires.

(b) The purposes of this Act are to direct the Secretary of Health, Education, and Welfare to establish an expanded program on the treatment of burn injuries, research on burns and the rehabilitation of burn victims, so this and the Secretary shall—

(1) sponsor and encourage the establishment of 12 additional burn centers which shall provide specialized burn treatment and include research and teaching, and 24 additional burn units which shall comprise specialized facilities in general hospitals; and sponsor and encourage the upgrading of existing burn programs in general hospitals;

(2) provide training and continuing support of specialists to staff the new and existing burn centers, burn units, and burn programs;

(3) provide special training in emergency care for burn victims;

(4) augment sponsorship of research on burns and burn treatment;

(5) administer and support a systematic program of research concerning smoke inhalation injuries; and

(6) sponsor and support other research and training programs in the treatment and rehabilitation of burn injury victims.

SEC. 3. The Secretary of Commerce is directed to obtain information on burn treatment facilities and programs now in existence, on the frequency and severity of burn injuries both nationally and by region, through the National Fire Data System, and to provide guidance and assistance to the

Secretary of Health, Education, and Welfare in designating those areas where burn care is deficient.

SEC. 4. As used in this Act—

(1) The term "burn program" means a program (a) in a hospital that has no specialized facilities or areas for burn care; (b) which contain a consistent plan for the management of burn patients, and (c) is implemented by an interested and experienced physician (or jointly by several physicians).

(2) The term "burn unit" means a burn program being conducted in a specialized section of a hospital which is used only for burn victims.

(3) The term "burn center" means a larger burn unit, with special emphasis on research and teaching as well as patient care which provides very intensive burn care which requires the support of the research and teaching staffs.

SEC. 5. (a) For the purposes of Section 3, there are authorized to be appropriated such sums as may be necessary.

(b) For the general purposes of this Act, (other than Section 3) there are authorized to be appropriated \$20,000,000 for the fiscal year ending June 30, 1976; \$30,000,000 for the fiscal year ending September 30, 1977; and \$40,000,000 for the fiscal year ending September 30, 1978, and such funds that are necessary to continue the program thereafter.

## NUCLEAR WEAPONS PROLIFERATION

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, just before the July 4 recess, I introduced a resolution together with 88 other Members which would declare it to be the policy of the United States to renounce the first use of nuclear weapons. Recent statements by the administration have appeared to escalate this country's apparent willingness to make first use of nuclear weapons.

It is my strong conviction that our No. 1 international goal must be to try to avoid—at all costs—a nuclear holocaust. In that connection, an issue related to my weapons resolution involves the spreading of weapons-making nuclear technology.

The deals being negotiated between Germany and Brazil on the one hand, and between Canada and Argentina on the other, by which Brazil and Argentina will come into possession of nuclear equipment which may ultimately enable those nations to make and use nuclear weapons, are of great concern.

We should not forget that when Canada sold a nuclear reactor—for supposedly peaceful purposes—to India a few years ago no one thought that India would so quickly become a member of the "nuclear club" by testing an atomic bomb.

We are at a crucial juncture now, on the verge of seeing proliferation of weapons and weapons technology throughout the world. It is imperative that we act quickly to stop the spread of this terrible technology which contains the means to destroy mankind.

Therefore, I am introducing today a resolution that is almost identical to one introduced in the Senate on June 16 by Senator Mondale and others. The resolu-

LEGISLATIVE COUNSEL  
FILE COPY

94TH CONGRESS  
1ST SESSION

# H. R. 8388

## IN THE HOUSE OF REPRESENTATIVES

JULY 8, 1975

Mr. KASTENMEIER (for himself, Mr. BADILLO, Mr. BROWN of California, Mr. PHILLIP BURTON, Ms. CHISHOLM, Mr. CONYERS, Mr. DELLUMS, Mr. DIGGS, Mr. DRINAN, Mr. EDWARDS of California, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. KOCH, Mr. MIKVA, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. RANGEL, Mr. REES, Mr. REUSS, Mr. ROSENTHAL, Ms. SCHROEDER, Mr. SEIBERLING, Mr. STARK, and Mr. STOKES) introduced the following bill; which was referred to the Committee on the Judiciary

## A BILL

To amend title 18 of the United States Code to provide a code of accountability and liability for Government officials engaged in making and implementing national security policy.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the "Official Accountability  
4       Act of 1975".

5               FINDINGS, DECLARATIONS, AND PURPOSE

6       SEC. 2. (a) The Congress declares—

7               (1) that the United States shall adhere to the  
8       accepted norms of international behavior, and in fulfill-



1       ment of this commitment shall enforce upon its own  
2       officials those international laws and customs of war to  
3       which the United States subscribes;

4           (2) that this commitment upholds the constitutional  
5       principle that the actions of public officials are governed  
6       by law; and

7           (3) that this commitment upholds the necessary  
8       principle that the legal standards which this country ap-  
9       plied to officials of other nations in the past are equally  
10      applicable to officials in this country.

11      (b) The Congress finds—

12           (1) that the present mechanisms for reviewing and  
13      prosecuting possible violations of the laws and customs  
14      of war are inadequate and inoperative; and

15           (2) that the recent history of United States involve-  
16      ments abroad illustrates the necessity for a reassertion  
17      of legal limitations on civilian and military officials in  
18      matters of war and peace.

19      (c) The purpose of this Act is to assure that persons  
20      charged with making or implementing American foreign,  
21      military, and national security policy will do so according to  
22      law.

1       **TITLE I—NATIONAL SECURITY CRIMES**

2       **PUNISHMENT OF NATIONAL SECURITY CRIMES**

3       **SEC. 101.** (a) Part I of title 18 of the United States  
4 Code (relating to crimes) is amended by adding at the end  
5 thereof the following new chapter:

6       **“Chapter 121.—NATIONAL SECURITY CRIMES**

**“Sec.**

**“2551.** Persons subject to this part.

**“2252.** Prohibitions.

**“2253.** Defense of superior orders or action as responsible government  
              official.

**“2254.** Sanctions.

7       **“§ 2251. Persons subject to this chapter**

**“The following persons are subject to this chapter:**

9           **“(1)** Any officer or employee of the United States,  
10 including any member of the Armed Forces of the  
11 United States.

12           **“(2)** Any other person who receives, directly or  
13 indirectly, any compensation or remuneration from the  
14 United States in any form (whether pursuant to con-  
15 tract, subcontract, or otherwise) for the commission of  
16 any act which is, or results in, a violation of section  
17 2552.

18       **“§ 2552. Prohibitions**

19           **“(a)** No person subject to this chapter shall order or

1 engage in the planning of, preparation for, initiation or  
2 waging of a war of aggression or a war in violation of any  
3 international treaty or agreement to which the United States  
4 is a party.

5 “(b) No person subject to this chapter shall order or  
6 engage in the planning of, preparation for, or commission of  
7 any violation of the laws and customs of war, including but  
8 not limited to—

9 “(1) murdering, torturing, using as hostages, using  
10 for slave labor, or confining in concentration camps any  
11 prisoners of war or any civilians of another nation; and

12 “(2) pillaging public or private property; or wan-  
13 tonly destroying cities, towns, or villages.

14 “(c) For purposes of subsection (b), in addition to  
15 any other acts referred to in such subsection, the following  
16 shall be deemed to be in violation of the laws and customs  
17 of war:

18 “(1) Bombing of civilian populations for the pur-  
19 pose of terrorizing such civilian populations.

20 “(2) Destroying crops, livestock, or the natural  
21 habitat of another country, people, or land unless im-  
22 peratively demanded by the necessities of war.

23 “(3) Overthrowing by force, violence, or bribery  
24 the leadership of a nation with which the United States  
25 is not at war.

1           “(4) Using biological weapons in any form.

2           “(5) Entering into agreement with any individual  
3           or any entity for the purpose of perpetrating any act  
4           enumerated above.

5           “(d) For purposes of this section, the term ‘laws and  
6           customs of war’ means the laws and customs relating to war-  
7           fare and other hostile military operations derived from—

8           “(1) treaties and agreements to which the United  
9           States is a party,

10           “(2) customary international law, and

11           “(3) the standards, principles, and precedents of the  
12           Nuremberg, Tokyo, and other war-crimes tribunals.

13           **“§ 2553. Defense of superior orders or actions as respon-**  
14           **sible Government official**

15           “(a) No person who commits any act in violation of  
16           section 2552 pursuant to an order of his Government or su-  
17           perior shall be relieved of criminal liability for such violation  
18           unless he did not know and could not reasonably have been  
19           expected to know that the act ordered was unlawful.

20           “(b) No person who commits any act in violation of  
21           section 2552 shall be relieved of criminal liability for such  
22           act by reason of the fact that he was acting as a responsible  
23           Government official.

24           **“§ 2554. Sanctions**

25           “(a) Notwithstanding section 7501 of title 5, upon a

1 determination, after preliminary hearing pursuant to the  
2 Federal Rules of Criminal Procedure, that there is probable  
3 cause to believe that any person described in section 2551  
4 (1) of this title has committed a violation of section 2552  
5 of this title, such person shall be given a leave of absence  
6 without pay from his employment by the United States for  
7 the duration of the proceedings against him.

8 “(b) Any person who violates section 2552 shall be—

9 “(1) imprisoned not less than two years and not  
10 more than twenty-five years, or, in the alternative,  
11 sentenced for an equivalent period of time to such  
12 civilian work contributing to the maintenance of national  
13 health and welfare as the court may deem appropriate;  
14 and

15 “(2) ineligible for employment by the United  
16 States for such period of not less than fifteen years from  
17 the date on which sentence is imposed as the Court may  
18 specify.

19 **“§ 2555. Prosecution exclusively by National Security So-**  
20 **licitor**

21 “Notwithstanding any other provision of law, the Na-  
22 tional Security Solicitor shall have the exclusive authority  
23 to prosecute any violation of this chapter.”.

24 (b) (1) The table of chapters for such part I is amended  
25 by adding at the end thereof the following new item:



1       (2) The table of contents for such title 18 is amended  
2 by inserting immediately after the item relating to chapter  
3 119 the following new item:

“121. National security crimes----- 2551”.

4           **TITLE II—ADMINISTRATION AND**  
5                           **ENFORCEMENT**

6       Sec. 201. (a) Part VI of title 28 of the United States  
7 Code (relating to particular proceedings) is amended by add-  
8 ing at the end thereof the following new chapter:

9       **“Chapter 177.—OFFICE OF NATIONAL SECURITY**  
10                   **AFFAIRS; ENFORCEMENT DUTIES**

“Sec.

“3101. Establishment of Office of National Security Affairs.

“3102. National Security Solicitor and Deputy Solicitor.

“3103. Employees of Office; rules and regulations.

“3104. Powers and duties of Solicitor.

“3105. Injunctions.

“3106. Miscellaneous rules.

11   **“§ 3101. Establishment of Office of National Security**  
12                   **Affairs**

13       “There is hereby established an independent office to be  
14 known as the Legal Office of National Security Affairs (here-  
15 after in this chapter referred to as the ‘Office’) which shall  
16 be under the exclusive control and direction of the National  
17 Security Solicitor.

18   **“§ 3102. National Security Solicitor and Deputy Solicitor**

19       “(a) There shall be in the Office a National Security  
20 Solicitor ( hereafter in this chapter referred to as the

1 'Solicitor') and a Deputy Solicitor, who shall be appointed  
2 by the President by and with the advice and consent of  
3 the Senate. The Deputy Solicitor shall perform such duties  
4 as may be assigned to him by the Solicitor, and during the  
5 absence or incapacity of the Solicitor or during a vacancy  
6 in that office, shall act as Solicitor.

7 " (b) The Solicitor and Deputy Solicitor shall each—

8 " (1) hold office for a term of fifteen years;

9 " (2) be ineligible for reappointment to their re-  
10 spective offices;

11 " (3) be removed from office during the term thereof  
12 only by a concurrent resolution passed by both Houses  
13 of Congress.

14 " (c) (1) The Solicitor shall be compensated at the  
15 rate of basic pay in effect for level IV of the Executive  
16 Schedule. The Deputy Solicitor shall be compensated at the  
17 rate of basic pay in effect for level V of the Executive  
18 Schedule.

19 " (2) Upon completion of their terms, the Solicitor  
20 and Deputy Solicitor shall receive an annuity in the same  
21 manner as is provided in section 303 of the Budget and Ac-  
22 counting Act, 1921, in the case of the Comptroller General.  
23 Such annuities shall be paid by the Office. For the purpose  
24 of survivorship benefits to widows and children, the Solicitor

1 and Deputy Solicitor may make an election as provided  
2 in section 319 of such Act in the case of the Comptroller  
3 General, except that the annuities and refunds of deposits  
4 so authorized shall be paid from the appropriations of the  
5 Office.

6 **“§ 3103. Employees of Office; rules and regulations**

7 “(a) The Solicitor may employ such attorneys and  
8 other employees as he deems necessary, without regard to  
9 the provisions of title 5 governing appointments on the com-  
10 petitive service. Such attorneys and other employees may  
11 be paid without regard to the provisions of chapter 51 and  
12 subchapter III of chapter 53 of such title relating to classi-  
13 fication and General Schedule pay rates, except that no  
14 attorney or other employee of the Office may receive com-  
15 pensation in excess of the annual rate of basic pay in effect  
16 for grade GS-18 of such General Schedule.

17 “(b) The Solicitor may make such rules and regulations,  
18 and delegate such of his functions as may be necessary to  
19 carry out this chapter.

20 **“§ 3104. Powers and duties of Solicitor**

21 “(a) The Solicitor shall enforce the prohibitions con-  
22 tained in chapter 121 of title 18 (relating to national secu-  
23 rity crimes) by conducting appropriate investigations and  
24 any kind of legal proceedings, civil or criminal, including

1 grand jury proceedings and proceedings before committing  
2 magistrates, which United States attorneys are authorized by  
3 law to conduct.

4 “(b) The Solicitor shall conduct public hearings not less  
5 frequently than twice per calendar year for the purpose of  
6 hearing testimony and taking evidence from individuals  
7 claiming to possess information relevant to any violation of  
8 chapter 121 of title 18. Such hearings shall be conducted  
9 pursuant to such rules and regulations and according to such  
10 procedures as may be prescribed by the Solicitor.

11 “(c) The Solicitor shall, when requested by the Presi-  
12 dent or the Congress, render advisory opinions on the legality  
13 under chapter 121 of title 18 of any proposed action with  
14 respect to which such opinion is requested. Such opinions  
15 shall be compiled and published at such times and in such  
16 manner as the Solicitor may determine. No opinion rendered  
17 under this subsection shall be deemed to foreclose or other-  
18 wise affect the prosecution of or any other action against  
19 any person at any time.

20 “(d) The Solicitor shall, at the earliest possible time  
21 following the enactment of this chapter, prepare and submit  
22 to the Congress a report containing—

23 “(1) a complete code of war crimes, and

24 “(2) recommendations for updating the laws and  
25 customs of war to which the United States subscribes.

1   **“§ 3105. Injunctions**

2           “Whenever the Solicitor has reasonable cause to believe  
3   that any person described in section 2551 of title 18 is  
4   engaged in any act in violation of section 2552 of such title  
5   (relating to national security crimes), he may bring a civil  
6   action in the appropriate United States district court by filing  
7   with it a complaint signed by him setting forth the act or  
8   acts alleged to be in violation of such section and requesting  
9   such preventive relief, including a permanent or temporary  
10   injunction, restraining order, or such other order as he deems  
11   necessary. Such action shall be heard and determined by a  
12   three-judge district court in accordance with section 2284 of  
13   title 28.

14   **“§ 3106. Miscellaneous rules**

15           “(a) Notwithstanding any other provision of law or  
16   rule of law (including any privilege or other constraint upon  
17   disclosure), all officers and employees of the United States  
18   (including White House staff and officers and employees in  
19   the Executive Office of the President) shall furnish to the  
20   Solicitor such information regarding their official activities,  
21   plans, and proposals as he may require of them, on the basis  
22   of his need to know in order to enforce the provisions of  
23   chapter 121 of title 18. For purposes of securing any infor-  
24   mation the Solicitor shall have access to, and the right to  
25   examine, any book, document, paper, record, or other mate-



1 rial of any agency or department of the United States, in-  
2 cluding the White House staff and Executive Office of the  
3 President.

4 “(b) Notwithstanding any other provision of law or  
5 rule or regulation, no person shall be punished in any man-  
6 ner under any authority for disclosing any information to  
7 the Solicitor or any attorney or employee of the Legal Office  
8 of National Security Affairs.”.

9 (b) (1) The table of chapters for such part VI is  
10 amended by adding at the end thereof the following new  
11 item:

“177. Office of National Security Affairs; Enforcement Duties---- 3101”.

12 (2) The table of contents for such title 28 is amended  
13 by adding at the end thereof the following new item:

“177. Office of National Security Affairs; Enforcement Duties---- 3101”.

94TH CONGRESS  
1ST SESSION

**H. R. 8388**

## **A BILL**

To amend title 18 of the United States Code to provide a code of accountability and liability for Government officials engaged in making and implementing national security policy.

By Mr. KASTENMEIER, Mr. BADILLO, Mr. BROWN of California, Mr. PHILIP BURTON, Ms. CHISHOLM, Mr. CONYERS, Mr. DELLOS, Mr. DIGGS, Mr. DRINAN, Mr. EDWARDS of California, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. KOCH, Mr. MIKVA, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. RANGEL, Mr. REES, Mr. REUSS, Mr. ROSENTHAL, Ms. SCHROEDER, Mr. SEIBERLING, Mr. STARK, and Mr. STOKES

July 8, 1975

Referred to the Committee on the Judiciary

leg sen  
July 24, 1975

Speaker pro tempore announced that the ayes appeared to have it.

Mr. DERWINSKI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 14, as follows:

[Roll No. 427]  
YEAS—420

Abdnor	Cornell	Hastings
Abzug	Cotter	Hawkins
Adams	Coughlin	Hayes, Ind.
Addabbo	Crane	Hayes, Ohio
Alexander	D'Amours	Hébert
Ambro	Daniel, Dan	Hechler, W. Va.
Anderson,	Daniel, R. W.	Heckler, Mass.
Calif.	Daniels, N.J.	Hefner
Anderson, Ill.	Danielson	Heinz
Andrews,	Davis	Helstoski
N. Dak.	de la Garza	Henderson
Annunzio	Deaney	Hicks
Archer	Dellums	Hightower
Armstrong	Derrick	Hillis
Ashbrook	Derwinski	Holland
Ashley	Devine	Holt
Aspin	Dickinson	Holtzman
AuCoin	Dingell	Horton
Badillo	Dodd	Howe
Bafalis	Downey, N.Y.	Hubbard
Baldus	Downing, Va.	Hughes
Barrett	Drinan	Hungate
Baucus	Duncan, Oreg.	Hutchinson
Bauman	Duncan, Tenn.	Hyde
Beard, R.I.	du Pont	Ichord
Beard, Tenn.	Early	Jarman
Bedell	Eckhardt	Jeffords
Bell	Edgar	Jenrette
Bennett	Edwards, Ala.	Johnson, Calif.
Bergland	Edwards, Calif.	Johnson, Colo.
Bevill	Ellberg	Johnson, Pa.
Blaggi	Emery	Jones, Ala.
Blaster	English	Jones, N.C.
Bingham	Erlenborn	Jones, Okla.
Blanchard	Esch	Jones, Tenn.
Blouin	Eshleman	Jordan
Boggs	Evans, Colo.	Karth
Boland	Evans, Ind.	Kasten
Bolling	Evins, Tenn.	Kastenmeier
Bonker	Fary	Kazen
Bowen	Fascell	Kelly
Bredemas	Fenwick	Kemp
Breaux	Findley	Ketchum
Breckinridge	Fish	Keys
Brinkley	Fisher	Kindness
Brookhead	Flithian	Koch
Brooks	Flood	Krebs
Broomfield	Florio	Krueger
Brown, Calif.	Flowers	LaFalce
Brown, Mich.	Flynt	Lagomarsino
Brown, Ohio	Foley	Landrum
Broyhill	Ford, Mich.	Latta
Buchanan	Ford, Tenn.	Leggett
Burgener	Porsythe	Lehman
Burke, Calif.	Fountain	Lent
Burke, Fla.	Fraser	Levitas
Burke, Mass.	Frenzel	Litton
Burleson, Tex.	Frey	Lloyd, Calif.
Burlison, Mo.	Fuqua	Lloyd, Tenn.
Burton, John	Gaydos	Long, La.
Burton, Phillip	Gialmo	Long, Md.
Butler	Gibbons	Lott
Byron	Gilman	Lujan
Carney	Ginn	McClory
Carr	Goldwater	McCloskey
Casey	Gonzalez	McCollister
Cederberg	Gooding	McCormack
Chappell	Gradison	McDade
Chisholm	Grassley	McDonald
Clancy	Green	McEwen
Clausen,	Gude	McFall
Don H.	Guyer	McHugh
Clawson, Del	Hagedorn	McKay
Clay	Haley	McKinney
Cleveland	Hall	Madden
Cochran	Hamilton	Madigan
Cohen	Hammer	Maguire
Collins, Ill.	schmidt	Mahon
Collins, Tex.	Hanley	Mann
Conable	Hannaford	Martin
Conlan	Hansen	Mathis
Conte	Harkin	Mazzoli
Conyers	Harrington	Meeds
Corman	Harris	Melcher

Metcalfe	Quile	Stanton,
Meyner	Quillen	James V.
Mezvisinsky	Railsback	Stark
Michel	Randall	Steed
Mikva	Rangel	Steelman
Miller, Calif.	Rees	Steiger, Ariz.
Miller, Ohio	Regula	Steiger, Wis.
Mills	Reuss	Stevens
Mineta	Rhodes	Stokes
Minish	Richmond	Stratton
Mink	Riegle	Stuckey
Mitchell, Md.	Rinaldo	Studds
Mitchell, N.Y.	Risenhoover	Sullivan
Moakley	Roberts	Symington
Moffett	Robinson	Symms
Mollohan	Rodino	Talcott
Montgomery	Roe	Taylor, Mo.
Moore	Rogers	Taylor, N.C.
Moorhead,	Roncallo	Thompson
Calif.	Rooney	Thone
Moorhead, Pa.	Rose	Thornton
Morgan	Rosenthal	Traxler
Mosher	Rostenkowski	Treen
Moss	Roush	Tsongas
Mottl	Rousselot	Udall
Murphy, Ill.	Roybal	Ullman
Murtha	Runnels	Van Deerlin
Myers, Ind.	Ruppe	Vander Jagt
Myers, Pa.	Russo	Vander Veen
Natcher	Ryan	Vanik
Neal	St Germain	Vigorito
Nedzi	Santini	Waggonner
Nichols	Sarasin	Walsh
Nix	Sarbanos	Wampler
Nolan	Satterfield	Waxman
Nowak	Scheuer	Weaver
Oberstar	Schneebell	Whalen
Obey	Schroeder	White
O'Brien	Schulze	Whitehurst
O'Hara	Sebelius	Whitten
O'Neill	Selberling	Wiggins
Ottinger	Sharp	Wilson, Bob
Passman	Shipley	Wilson, C. H.
Patman, Tex.	Shriver	Wilson, Tex.
Patten, N.J.	Shuster	Winn
Patterson,	Sikes	Wirth
Calif.	Simon	Wolf
Pattison, N.Y.	Sisk	Wright
Pepper	Skubitz	Wyder
Perkins	Slack	Wyllie
Pettis	Smith, Iowa	Yates
Peyser	Smith, Nebr.	Yatron
Pickle	Snyder	Young, Alaska
Pike	Solarz	Young, Fla.
Poage	Spellman	Young, Ga.
Pressler	Spence	Young, Tex.
Preyer	Staggers	Zablocki
Price	Stanton,	Zerfatti
Pritchard	J. William	

NAYS—0

NOT VOTING—14

Andrews, N.C.	Harsha	Matsunaga
Carter	Hinshaw	Milford
Dent	Howard	Murphy, N.Y.
Diggs	Jacobs	Teague
Fulton	Macdonald	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Dent with Mr. Diggs.  
Mr. Matsunaga with Mr. Fulton.  
Mr. Teague with Mr. Jacobs.  
Mr. Murphy of New York with Mr. Andrews of North Carolina.  
Mr. Macdonald of Massachusetts with Mr. Howard.  
Mr. Harsha with Mr. Carter.  
Mr. Milford with Mr. Hinshaw.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill (H.R. 8714) just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

#### PERMISSION FOR COMMITTEE ON INTERNATIONAL RELATIONS TO SIT DURING HOUSE SESSION TODAY

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the Committee on International Relations may be permitted to sit today while the House is in session.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

#### PERMISSION FOR COMMITTEE ON RULES TO FILE A PRIVILEGED REPORT

Mr. SISK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a privileged report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

#### MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Heiting, one of his secretaries, who also informed the House that on July 19, 1975, the President approved and signed a bill of the House of the following title:

H.R. 7405. An act to amend section 3620 of the Revised Statutes with respect to certain disbursements to be made by banks, savings banks, savings and loan associations, and credit unions.

#### AUTHORIZING FURTHER SUSPENSION OF PROHIBITIONS AGAINST MILITARY ASSISTANCE TO TURKEY

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 626 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 626

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 846) to authorize the further suspension of prohibitions against military assistance to Turkey, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations and Representative Dante Fascell and Representative Edward Derwinski, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and all points of order against said substitute for failure to comply with the provisions of clause 7, Rule XVI are hereby waived. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand

in order to work out a benefits package satisfactory to both sides. As you know, Mr. Speaker, the benefits provided under this bill do not come out of Federal tax money. All of the expenses are paid for by the industry itself. Our role in this matter is to act as an intermediary or arbitrator. It is only an accident of history that has us involved in this matter at all. All of the provisions as contained in the bill are agreed to by both labor and management.

The most significant feature of the agreed-upon bill would increase the maximum daily unemployment compensation benefit from \$12.70 to \$24 per day for the first year, and \$25 per day for years thereafter.

The 7-day waiting period for sickness benefits under existing law would be reduced to four days.

The bill would provide for extended unemployment benefits of 13 weeks for employees with less than 10 years of service. Extended benefit periods are currently available under existing law for employees with 10 years or more of service. The new group of employees covered by extended benefits would be eligible for those extended benefits depending upon a trigger device similar to the method used for extended benefits under normal unemployment compensation programs; that is, a national trigger is "on" whenever the number of insured employment claimants in the nation exceeds 4 percent.

The qualification requirement for new employees in the railroad industry is reduced from seven months to 5 months.

The agreed-upon bill provides for adjustments in the carriers' contribution to unemployment insurance fund in an amount to assure adequately funding of the new program.

Some technical amendments are contained in title II of the bill relating to railroad retirement account and the railroad retirement supplemental account.

In addition to the above provisions, the existing law was changed so that an employee cannot receive unemployment insurance benefits during the first 7 days of a strike. Under existing law, unemployment benefits were payable from the beginning of a strike.

Mr. Speaker, I urge all of my colleagues to vote for the passage of the measure before us. As I mentioned earlier in my remarks, both labor and management are to be commended for their diligent negotiations which have led to an agreement on the provisions contained in this bill. Unemployment in the rail industry is higher than normal, and it is imperative that we pass this law so that benefits can begin from July 1.

AMENDMENT OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STAGGERS: Add at the end of the bill the following:

TITLE III—AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT, AS AMENDED

SEC. 301. Section 3201 of the Railroad Retirement Tax Act is amended by striking out "compensation paid to such employee"

and inserting in lieu thereof "compensation paid in any calendar month to such employee."

SEC. 302. Section 3211(a) of the Railroad Retirement Tax Act is amended by striking out "compensation paid to such employee representative" and inserting in lieu thereof "compensation paid in any calendar month to such employee representative."

SEC. 303. Section 3221(a) of the Railroad Retirement Tax Act is amended by striking out "compensation paid by such employer" and inserting in lieu thereof "compensation paid in any calendar month by such employer."

SEC. 304. Section 3231(e)(1) of the Railroad Retirement Tax Act is amended by striking out the first sentence and inserting in lieu thereof:

"The term 'compensation' means any form of money remuneration paid to an individual for services rendered as an employee to one or more employers."

SEC. 305. Section 3231(e)(2) of the Railroad Retirement Tax Act is amended by striking out the first sentence thereof.

SEC. 306. Section 3231(e)(2) of the Railroad Retirement Tax Act is amended by adding as the first sentence thereof:

"An employee shall be deemed to be paid compensation in the period during which such compensation is earned only upon a written request by such employee, made within six months following the payment, and a showing that such compensation was earned during a period other than the period in which it was paid."

SEC. 307. The amendments made by Sections 1 through 5 of this title shall apply for taxable years ending on or after the date of the enactment of this Act and for taxable years ending before the date of the enactment of this Act as to which the period for assessment and collection of tax or the filing of a claim for credit or refund has not expired on the date of enactment of this Act. The amendment made by section 6 of this title shall apply for taxable years beginning on or after the date of enactment of this Act: *Provided, however*, That with respect to payment made prior to the date of enactment of this Act, the employee may file a written request under section 6 within six months after the enactment of this Act.

Mr. STAGGERS (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

Mr. ROUSSELOT. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk continued to read the amendment.

Mr. STAGGERS (during the reading). Mr. Speaker, I renew my unanimous consent request that the amendment be considered as read and printed in the RECORD, after which I will make an explanation of the amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, the Railroad Retirement Tax Act was amended in 1946 in part for the purpose of imposing the tax on a "paid" rather than an "earned" basis. Public Law 79-572 (79th Cong. 2d sess. (1946)). The Senate Commerce committee report that accompanied the bill stated that the amendments "are necessary to change the computation of benefits and taxed

from a 'compensation earned' basis to a 'compensation paid' basis," and that existing law "brings about heavy administrative burdens both on the Railroad Retirement Board and on the employers to make thousands of corrections in report previously filed" which are "useless operations." Senate Report No. 1710 (part 2) (79th Cong., 2d sess., p. 7). Since 1946 the Railroad Retirement Board has permitted carriers to report compensation on an as paid basis, and the Board has recently confirmed the legal propriety of this procedure.

Nonetheless, the Internal Revenue Service has ruled in Revenue Ruling 5-226 (IRB 1975-27, p. 33) that compensation is to be taxed under the Railroad Retirement Tax Act as of the period when earned irrespective of when it is paid. The bill would amend the Railroad Retirement Act to clarify the intention, originally expressed in 1946, that compensation is to be taxed only on an "as paid" basis. Because these amendments are clarifications of existing law they are to apply to all taxable years not yet closed as well as those in the future.

The Railroad Retirement Board also has taken the position that under existing law individual employees may have compensation credited, upon an appropriate showing, to periods when earned for purposes of determining benefits under the Railroad Retirement Act.

The bill ensures that for taxable years in the future individual employees, and only individual employees, may establish, for purposes of the Railroad Retirement Tax Act, that amounts paid in one period were earned, and therefore may be deemed to have been paid, in an earlier period. Under the bill an employee is to be permitted six months from the date of the payment to make the required claim, but he will have that right only as taxable years beginning after the date of enactment of the bill.

Mr. SKUBITZ. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I will be very happy to yield to the distinguished gentleman from Kansas (Mr. SKUBITZ).

Mr. SKUBITZ. Mr. Speaker, as I understand, this amendment was offered by management?

Mr. STAGGERS. That is correct.

Mr. SKUBITZ. And was approved by labor?

Mr. STAGGERS. That is correct.

Mr. SKUBITZ. On this side we have no objection to the amendment.

Mr. STAGGERS. I thank the gentleman.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from West Virginia (Mr. STAGGERS).

The amendment was agreed to.

Mr. STAGGERS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the

a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois (Mr. ANDERSON) pending which I yield myself such time as I may consume.

(Mr. SISK asked and was given permission to revise and extend his remarks.)

Mr. SISK. Mr. Speaker, the reading of the resolution makes it very clear that we are presenting what is an open rule, a rule with 3 hours of general debate on a bill that would authorize the suspension of prohibitions against U.S. military assistance to Turkey. The resolution provides that the 3 hours of general debate shall be equally controlled—and I think it would be well if Members, at least to the extent that they are interested, might listen to this.

Mr. Speaker, we hope to take only a comparatively short time on the rule. However, it is well that we understand that the committee has brought up a rather unusual procedure, although it is not without many precedents.

In connection with the division of time, the 3 hours of general debate will be equally divided and controlled by the chairman of the committee, the gentleman from Pennsylvania (Mr. MORGAN), the gentleman from Michigan (Mr. BROOMFIELD), the gentleman from Florida (Mr. FASCELL) and the gentleman from Illinois (Mr. DERWINSKI), with each controlling 45 minutes of the general debate time.

As the Committee on Rules understands, this means that actually we have an hour and a half time under the control of the proponents of this legislation and an hour and a half controlled by the opponents of the legislation, being divided between the majority and the minority. Therefore, in seeking time, I think it would be well that Members keep that in mind.

The resolution provides that it shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill as an original bill for the purpose of amendment under the 5-minute rule. It also provides that all points of order against the committee substitute for failure to comply with the provisions of clause 7, rule XVI of the rules of the House—germaneness provisions—are waived.

Mr. Speaker, Senate 846 authorizes the delivery of defense articles and defense services to Turkey with respect to which contracts of sale were signed prior to February 5, 1975. Mr. Speaker, if I could, I would simply like to state that there have been a number of comments by my colleagues with reference to lobbying.

There has been a great deal of effort, I think, on both sides of this issue, and,

so far as this Member is concerned, that effort has been in all good conscience on the part of those who have sought to carry their own particular position.

I am sure that each Member of the House, in making a final determination in casting a vote on this issue, will vote as he believes in his own conscience to be in the best interest of his country.

I know I have received a number of telephone calls, and I am sure many of the Members have. In my discussions with some of the people who have become somewhat emotionally involved, I have attempted to discuss with them in a rational way those things which all of us—those of us here in Congress, as well as our constituents at home, who, I am certain, are concerned—consider are in the best interests of our country, regardless of emotional feelings or ethnic ties or any other consideration.

Mr. Speaker, let me make clear my own personal position. I am here today supporting this rule. I am going to vote for this bill, in the firm belief that it is in the best interests of America. This bill, as I understand it, is not tilted, necessarily, in favor of Turkey, nor is it tilted in favor of Greece; but it is an attempt by people, at least in the minds of those who have come to me about it, to provide for negotiations and, ultimately, a peaceful settlement of the Cyprus issue by and between the parties concerned. I sincerely doubt that any Member will, here today, be charged with voting either for or against Greece or for or against Turkey, and so I would hope that, in our considerations and in the final determination that we would make, we would do that which is in the best interest of our country.

Mr. Speaker, I urge the adoption of the resolution.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Speaker, House Resolution 626 makes in order House consideration of S. 846 under an open rule with 3 hours of general debate. The Rules Committee conducted an all-day hearing on this matter on Tuesday of this week, hearing from Members on both sides of this issue. And I think the committee bent over backward in fashioning a somewhat unusual rule to insure that all sides would have a full and fair hearing on the House floor. This rule divides the 3 hours of general debate time four-ways, with 45 minutes each to the chairman and ranking minority member of the International Relations Committee, and Representatives FASCELL and DERWINSKI.

I therefore want to urge adoption of this rule so that the House may proceed to debate this controversial matter. In conclusion, I also want to commend the bipartisan group on the International Relations Committee which put together this compromise bill on Turkey aid. I know it is not everything which the administration would have wanted and so it is not fair to characterize this as an administration bill. This is indeed a con-

gressional initiative aimed at breaking the impasse which exists over the Cyprus issue and protecting the legitimate national security interests of the United States in that important part of the world. I hope this compromise bill will be adopted by the House.

Mr. SISK. Mr. Speaker, I have no further requests for time.

Mr. ANDERSON of Illinois. Mr. Speaker, I have no further requests for time.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BAUMAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 15, as follows:

[Roll No. 428]

YEAS—419

Abdnor	Butler	Evans, Colo.
Abzug	Byron	Evans, Ind.
Adams	Carney	Evins, Tenn.
Addabbo	Carr	Fary
Alexander	Casey	Fascell
Ambro	Cederberg	Fenwick
Anderson,	Chappell	Findley
Calif.	Chisholm	Fish
Anderson, Ill.	Clancy	Fisher
Andrews,	Clausen,	Fithian
N. Dak.	Don H.	Flood
Annunzio	Clawson, Del	Florio
Archer	Clay	Flowers
Armstrong	Cleveland	Flynt
Ashbrook	Cochran	Foley
Ashley	Cohen	Ford, Mich.
Aspin	Collins, Ill.	Ford, Tenn.
AtCoin	Collins, Tex.	Forsythe
Badillo	Conable	Fountain
Bafalis	Conlan	Fraser
Baldus	Conte	Frenzel
Barrett	Conyers	Frey
Baucus	Corman	Fuqua
Bauman	Cornell	Gaydos
Beard, R.I.	Cotter	Gaimo
Beard, Tenn.	Coughlin	Gibbons
Bedell	Crane	Gilman
Bell	D'Amours	Ginn
Bennett	Daniel, Dan	Goldwater
Bergland	Daniel, R. W.	Gonzalez
Bevill	Daniels, N.J.	Goodling
Blaggi	Danielson	Gradison
Blester	Davis	Grassley
Bingham	de la Garza	Green
Blanchard	Delaney	Gude
Blount	Dellums	Guyer
Boggs	Dent	Hagedorn
Boland	Derrick	Haley
Bolling	Derwinski	Hall
Bonker	Dewine	Hamilton
Bowen	Dickinson	Hammer-
Brademas	Diggs	schmidt
Breaux	Dingell	Hanley
Breckinridge	Dodd	Hannaford
Brinkley	Downey, N.Y.	Hansen
Brodhead	Downing, Va.	Harkin
Brooks	Drinan	Harrington
Broomfield	Duncan, Oreg.	Harris
Brown, Calif.	Duncan, Tenn.	Harsha
Brown, Mich.	du Pont	Hastings
Brown, Ohio	Early	Hayes, Ind.
Broyhill	Eckhardt	Hayes, Ohio
Buchanan	Edgar	Hébert
Burgener	Edwards, Ala.	Hechler, W. Va.
Burke, Calif.	Edwards, Calif.	Heckler, Mass.
Burke, Fla.	Eilberg	Hefner
Burke, Mass.	Emery	Heinz
Burleson, Tex.	English	Helstoski
Burison, Mo.	Erlenborn	Henderson
Burton, John	Esch	Hicks
Burton, Phillip	Eshleman	Hightower



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Hillis	Minish	Sarbanes
Holland	Mink	Satterfield
Holt	Mitchell, Md.	Scheuer
Holtzman	Mitchell, N.Y.	Schneebeli
Horton	Moakley	Schroeder
Howe	Moffett	Schulze
Hubbard	Mollohan	Sebelius
Hughes	Montgomery	Seiberling
Hungate	Moorhead	Sharp
Hutchinson	Calif.	Shipley
Hyde	Moorhead, Pa.	Shriver
Ichord	Morgan	Shuster
Jarman	Mosher	Sikes
Jeffords	Moss	Simon
Jenrette	Mottl	Sisk
Johnson, Calif.	Murphy, Ill.	Skubitz
Johnson, Colo.	Murphy, N.Y.	Slack
Johnson, Pa.	Murtha	Smith, Iowa
Jones, Ala.	Myers, Ind.	Smith, Nebr.
Jones, N.C.	Myers, Pa.	Snyder
Jones, Okla.	Natcher	Solarz
Jones, Tenn.	Neal	Spellman
Jordan	Nedzi	Spence
Kaeth	Nichols	Staggers
Kasten	Nix	Stanton
Kastenmeier	Nolan	J. William
Kazen	Nowak	Stark
Kelly	Oberstar	Steed
Kemp	Obey	Steelman
Ketchum	O'Brien	Steiger, Ariz.
Keys	O'Hara	Steiger, Wis.
Kindness	O'Neill	Stephens
Koch	Ottinger	Stokes
Krebs	Passman	Stratton
Krueger	Patman, Tex.	Stuckey
LaFalce	Patten, N.J.	Studds
Lagomarsino	Patterson,	Sullivan
Lardrum	Calif.	Symington
Latta	Pattison, N.Y.	Symms
Leggett	Pepper	Talcott
Lehman	Perkins	Taylor, Mo.
Lent	Pettis	Taylor, N.C.
Levitas	Peyser	Thompson
Litton	Pickle	Thone
Lloyd, Calif.	Pike	Thornton
Lloyd, Tenn.	Poage	Traxler
Long, La.	Pressler	Treen
Long, Md.	Preyer	Tsongas
Lott	Price	Udall
Lujan	Pritchard	Ullman
McClary	Quie	Van Deerlin
McCloskey	Quillen	Vander Jagt
McCollister	Railsback	Vander Veen
McCormack	Randall	Vanik
McDade	Rangel	Vigorito
McDonald	Rees	Waggonner
McEwen	Regula	Walsh
McFall	Rouss	Wampler
McHugh	Rhodes	Waxman
McKay	Richmond	Weaver
McKinney	Riegle	Whalen
Madden	Rinaldo	White
Madigan	Rosenhoover	Whitehurst
Maguire	Roberts	Whitten
Mahon	Robinson	Wiggins
Mann	Rodino	Wilson, Bob
Marin	Roncallo	Wilson, C. H.
Mathis	Rooney	Wilson, Tex.
Matsunaga	Rose	Winn
Mazzeoli	Rosenthal	Wirth
Meeds	Rostenkowski	Wolff
Melcher	Roush	Wyder
Metcalfe	Rousselot	Wyllie
Meyner	Roybal	Yates
Mezvinsky	Runnels	Yatron
Michel	Russo	Young, Alaska
Mikva	Ryan	Young, Fla.
Miller, Calif.	St Germain	Young, Ga.
Miller, Ohio	Santini	Young, Tex.
Mills	Sarasin	Zablocki
Mineta		Zerferri

## NAYS—0

## NOT VOTING—15

Andrews, N.C.	Jacobs	Stanton
Carter	Macdonald	James V.
Fulton	Milford	Teague
Hawkins	Roe	Wright
Hinshaw	Rogers	
Howard	Ruppe	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Teague with Mr. Fulton.  
Mr. Hawkins with Mr. Andrews of North Carolina.  
Mr. Howard with Mr. Carter.  
Mr. Macdonald of Massachusetts with Mr. Roe.  
Mr. Milford with Mr. Ruppe.  
Mr. Rogers with Mr. Wright.  
Mr. James V. Stanton with Mr. Jacobs.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the Senate bill (S. 846) to authorize the further suspension of prohibitions against military assistance to Turkey, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

## IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the Senate bill S. 846 with Mr. SISK in the chair.

The Clerk read the title of the Senate bill.

By unanimous consent, the first reading of the Senate bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania (Mr. MORGAN) will be recognized for 45 minutes, the gentleman from Michigan (Mr. BROOMFIELD) will be recognized for 45 minutes, the gentleman from Florida (Mr. FASCELL) will be recognized for 45 minutes, and the gentleman from Illinois (Mr. DERWINSKI) will be recognized for 45 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. MORGAN).

Mr. MORGAN. Mr. Chairman, I yield myself such time as I may consume.

(Mr. MORGAN asked and was given permission to revise and extend his remarks.)

Mr. MORGAN. Mr. Chairman, I rise in support of S. 846 as reported by the Committee on International Relations. In my opinion passage of this bill is vital to the security of the United States and the North Atlantic.

As Members know there has been a total embargo on arms shipments to Turkey since February 5, 1975. The embargo was placed on the shipment of defense articles and services to Turkey because that country used U.S.-furnished arms in the invasion of Cyprus last summer in violation of her agreement with the United States relating to the use of such equipment. In approving the embargo the Congress hoped that it would induce Turkey to end the military occupation of the northern part of Cyprus and to negotiate a peaceful settlement on Cyprus between Greece and Turkey.

Unfortunately, Mr. Chairman, the embargo has not brought about a solution of the problem. During the 5 months the embargo has been in effect progress toward any solution of the problem has been blocked and we have suffered and the people of Cyprus are enduring prolonged suffering. All negotiations have stalled. Turkey's attitude has hardened. Tensions between Greece and Turkey have increased.

Moreover, the ban in military shipments and sales of military arms to Turkey has limited our ability to promote a peaceful solution of the Cyprus conflict, weakened NATO's southern

flank, and put in doubt continued U.S. access to important military installations and bases in Turkey.

Mr. Chairman, S. 846, as amended by the Committee on International Relations, is a compromise, a compromise offered in the hope that it will help improve relations between two members of NATO, both our friends, provide a new start for the deadlocked negotiations on Cyprus and assure continued U.S. access to bases which are very vital and important to our own security. In order to achieve these objectives the bill provides the following measures:

First, the bill would lift partly, Mr. Chairman, and only partly, the embargo on U.S. arms shipments to Turkey by permitting the delivery of those defense articles which Turkey purchased from us prior to February 5 of this year. This would allow approximately \$185 million in military sales to be released to Turkey.

Second, the bill authorizes the President to issue licenses for exports to Turkey of military equipment through private and commercial channels.

Third, the bill has a clause known as the Fraser amendment, which provides that after the Congress has a chance to review this situation 2 or 3 months from now, and act on the regular Foreign Military Sales Act authorization government-to-government sales and credits would be executed from the embargo. The suspension of the embargo on government-to-government sales of military equipment would, however, be effective only with respect to the items which are needed for NATO use and only if Turkey meets some other conditions spelled out in the bill.

Fourth, the bill requests the President to begin negotiations with the Greek Government about that country's most urgent needs, including needs for both economic and military assistance.

The President is directed to report on his recommendations on aid to Greece within 60 days from the enactment of this bill.

Fifth, the bill calls on the President to encourage and cooperate in the development of additional humanitarian relief programs for the refugees on Cyprus.

Mr. Chairman, those who oppose S. 846 as reported by the committee argue that there is no compromise involved in this legislation. These critics claim that in exchange for a resumption of arms shipments, Turkey is required to do nothing to correct the action it took on Cyprus.

Mr. Chairman, I want to stress again what we have proposed is a compromise which falls considerably short of what the President asked for: A complete removal of the present arms embargo on Turkey.

First, S. 846 would lift the embargo only partly and only if Turkey does not violate the cease fire, does not increase its forces on Cyprus, does not send any U.S. arms to Cyprus.

Moreover, the bill would not allow at the start any Government arms sales to Turkey. Section 3 of this bill states that such sales could not be resumed and I emphasize, could not be resumed until

the legislation authorizing sales and credits for the fiscal year 1976 has been enacted by this House sometime late this fall.

The committee placed this limitation on resumption of arms sales to Turkey to permit the Congress time to determine what progress, if any, is made with respect to a solution on Cyprus. The committee also wanted to prohibit the use of any funds made available for 1976 under any continuing resolution authority for the sale of military equipment to Turkey.

I can assure the Members of the House that the Committee on International Relations, in response to this partial lifting of the embargo, will give Turkey the closest scrutiny. If there is no progress in negotiations, if there is no good faith effort on the part of Turkey, it is highly probable that the Committee on International Relations and this Congress would certainly not permit any future sales to Turkey.

Second, this bill retains the prohibition against grant military assistance. For those Members who oppose any form of foreign aid, or any form of grant military assistance to Turkey, I want them to know that there is not one single dime of grant military assistance in this bill.

Again, I am saying all we are doing here is partially lifting the embargo. We are letting Turkey pick up the military equipment they bought and largely paid for. Some \$85 million has already been paid for items in this \$185 million pipeline. The Turks are actually paying storage charges in this country for military equipment which they purchased here. All this bill does is lift the embargo partially by letting that pipeline and commercial sales to be delivered.

I know this is a very emotional issue to some of the ethnic groups in our country; but I want to say to this House, I am a first generation American. I think where I come from, we are good, loyal Americans. I think most of my Greek American friends are among the most patriotic Americans I have ever met. As Americans—all of us—are dealing here with a matter which not only has an emotional content but also affects the security of our country. When we deal with such an issue, we must all try to put aside our emotions and act on it on the basis of what is best for our country and for peace.

The bill which is before us tries to do this. In putting it forward, our committee tried to use an even-handed approach.

We believe, it is important for our country to be friends with both Greece and Turkey.

That is why our bill calls for military and economic aid to Greece, in addition to the partial lifting of the arms embargo on Turkey, and refugee aid.

Last year, Greece purchased \$169 million dollar's worth of arms in the United States.

The pipeline of arms going to Greece is over \$619 million dollars.

We want Greece to get those arms, even though some Greeks started the fireworks on Cyprus, and even though we received testimony that U.S. arms

furnished to Greece were used illegally on Cyprus.

But in addition to helping Greece, we want to help break the deadlock which is hurting everybody; Greece, Turkey, Cyprus, and NATO, and to retain the right of access to critical military bases in Turkey which are essential to the security of our own country.

Mr. Chairman, there are two categories of such military bases and installations in Turkey which are of particular interest to the United States. In the first category are those bases which are oriented toward the common defense of NATO. The second involves those which are of primary importance to U.S. defense needs, including several essential intelligence installations.

Loss of these bases would impair U.S. ability to carry out its NATO responsibilities and would deny the United States use of valuable, if not irreplaceable, intelligence installations which serve U.S. strategic defense needs, separate and distinct from those of NATO. Furthermore, loss of the bases would inhibit or preclude the use of Turkey to support contingency operations elsewhere in the region, including the Middle East, and would restrict overflight of Turkish air space by U.S. military aircraft.

Mr. Chairman, the President, the Secretary of State, the Secretary of Defense, and I assume the National Security Council have made the decision that access to those bases—and peace between Greece and Turkey—are in the national interest of our country. They also concluded that we cannot achieve those things unless we help the negotiations get started by removing the arms ban on Turkey. That is why I am standing in this well. I am not against the Greek people or the Turkish people or the people of Cyprus. I hate to see them fight each other. And when the President of the United States—even though he is of a different political party than mine—comes to me and says that we must remove this embargo in the interest of this country and in the interest of resolving the problem on Cyprus, I am willing to give him a hearing. And I am wishing to move at least part way in his direction.

This may be the only way, the only way we are going to nudge the Greeks, the Turks, and the Cypriots to start negotiations. All of them seem frozen in concrete on this issue. I do not want to go into the history of Greek-Turkish relations to try to explain why each side finds it so difficult to make the first move and compromise. The people of those countries have had some rough times with each other for a thousand years—or more. All this stands in the way of a solution to this problem.

Mr. Chairman, 15 years ago, when Cyprus became independent, three countries—Greece, Turkey, and Great Britain—undertook to guarantee its independence. When Turkey invaded Cyprus a year ago, it did it because, in its opinion, it had to invade in order to fulfill its responsibility under that treaty.

Even my friends who are opposing this bill will admit that Turkey had a right

under the treaty of 1960 to go in and try to preserve the independence of Cyprus. The Turks did not start this conflict, The Members know and I know that it was not the Turks who tried to assassinate the elected leader of Cyprus. Turkey had nothing to do with it. So the people who started this have to bear a little bit of the blame for this whole operation. Emotions are high, but we cannot afford to walk out and leave our southeast flank of NATO alone. So, we must make some move to break the deadlock.

We offer this compromise—and it is a compromise, it has got all kinds of safeguards in it—to break that deadlock. All we are saying is that we are going to take the first step. We, the United States, are going to take the first step. It is going to be up to Turkey to take the second step. Then further progress could follow. What we want is to get negotiations started and bring peace to that part of the world.

I want to say something to those of my good friends who strongly support Israel in the Middle East. During the Yom Kippur war, we used the Azores as a staging area to support Israel. The Members know and I know what is going on in Portugal today. The prospects are not very good that we can depend on the Azores if we ever have a conflict in the Middle East again. So our access to bases in Turkey—access which we can only have if there is a friendly relation between our two countries—is very important.

I was the author of the \$2.2 billion emergency security assistance bill for Israel. I brought it to this floor in 1973 to bail out a country that has the only democracy in the Middle East. I just wonder what is going to happen then in the future? We have some very important bases in Turkey, both NATO and U.S. intelligence gathering bases, and they are very, very important and they will be important not only to this country but important to our friends in the Middle East if we ever have another conflict there.

So there is quite a bit wrapped up in this bill today. I know that many of us have all kinds of pressures, all kinds of pressures. I even got a call from one of my constituents, and he said to me, "You know, I am going to defeat you next time and put you back to practicing medicine."

I said, "Well, maybe I would be better off practicing medicine than with the job I have now." So I know emotions are running high in this. But I want everybody to assess their position before they vote. When this debate is concluded, I hope the Members will decide the way I did, that the vote for this compromise bill is in the interest of the national security of our country—of peace between Greece and Turkey—of help for the refugees on Cyprus—and of the overall security situation in eastern Mediterranean.

Mr. BROOMFIELD. Mr. Chairman, I yield myself such time as I may consume. (Mr. BROOMFIELD asked and was given permission to revise and extend his remarks.)

Mr. BROOMFIELD. Mr. Chairman, as we move to debate the proposal to ease

the embargo on military assistance to Turkey. Let us be clear from the outset about the significance of the choice before us. Congress today is considering an emotionally charged issue of very real consequence to the conduct of our foreign policy, an issue that transcends partisan political considerations and goes to the very heart of our national security interests, the continued vitality of our alliances, and the security situation in the eastern Mediterranean. We seek to help resolve a tragic human situation on the island of Cyprus, but we also seek to strengthen bilateral relationships with important allies, to buttress the southern flank of NATO, and to preserve the status of vital security installations. Our vote today may well be the most important foreign policy decision Congress will make this year. We have a responsibility, to ourselves and to the Nation, to judge this matter on its merits and to act in the overriding national interest.

More than a generation ago, in the aftermath of a World War II, a Republican Congress joined with a Democratic President to meet a Communist threat to Greece and Turkey. In a historic demonstration of bipartisanship and concern for the overriding security objectives of this Nation, Congress and the Executive joined in support of the Truman doctrine. Many isolationists cast their first vote for a policy of responsible internationalism. This departure from past practice was a gamble, intensely debated, and unpopular with many constituents. There was no guarantee that the Truman doctrine would save Greece and Turkey from communism, but it did. In retrospect, one would have to say that Congress acted with courage, wisdom, and foresight.

Today Congress is again confronted with a crisis of major proportions in the eastern Mediterranean, a conflict involving Greece, Turkey, and Cyprus that is growing more acute with every passing day. The United States, deeply involved in the effort to bring peace to the Middle East and well aware of the implications of any future war in that area, can ill afford deterioration of conditions on Cyprus or a new crisis between Greece and Turkey. Our own security interests are very much at stake.

The situation on Cyprus is festering. The embargo on arms to Turkey has not forced negotiating concessions. Rather it has poisoned relations between Ankara and Washington, contributed to tensions in the Aegean, damaged NATO solidarity, called into question the status of important U.S. installations in Turkey, and increased the possibility of future conflict in the region.

All of us are aware, Mr. Chairman, that the arms embargo is a hot political issue. There are very few of us in this Chamber who stand to gain popularity back home by voting in favor of this bill. In addition to the political aspects of this question, there are many Members of Congress who see the involvement of profound—and in my opinion frequently legitimate—moral issues. Some would construe easing the embargo as a reward for Turkish aggression on Cyprus, or as a license for other nations around the

world to misuse weapons supplied to them by the United States.

On one moral issue, however, there should be no disagreement. All of us are deeply concerned with the plight of the 180,000 refugees on Cyprus who have been displaced for almost a year, living in wretched conditions, yearning to return to their homes. There are honest differences of opinion on how best to move forward the Cyprus negotiations and resolve the refugee problem, but I can say with confidence that all of us are working in good faith to achieve this objective. The legislation before us makes clear our concern with the refugees on Cyprus and encourages the administration to render effective assistance to victims of the conflict.

If we are going to debate the Turkish arms embargo with the seriousness of purpose it so clearly deserves, let us begin by resolving any ambiguity about the legislation before us. This bill does not emanate from the White House; it is barely acceptable to the President, the Department of State, and the Government of Turkey, all of whom have a clear preference for the Mansfield-Scott version. The proposal on the floor is a bipartisan congressional initiative, negotiated and drafted by Members of this body, and I commend my Democratic colleagues on the Committee on International Relations who have made such an important, responsible contribution to this proposal. It is a sincere attempt at evenhandedness: an honest effort to help break the stalemate on Cyprus, to relieve the human tragedy on that island, to improve our relations with important NATO allies—Greece included—and to serve the vital security interests of this Nation.

This legislation does not countenance the illegal deployment of military equipment supplied by the United States. It does not imply tacit recognition of the status quo on Cyprus. It is not pro-Turkish or pro-Greece, nor is it a knuckling under to Turkish pressure on our bases. This bill does not open wide the gates to renewed arms shipments to Turkey. It provides for continuing restrictions on access to arms that leaves Turkey at a distinct disadvantage in comparison to Greece, in acquiring military equipment. In addition, section 3 of the bill clearly stipulates that Turkey shall acquire only military equipment as the President determines, and certifies to Congress, as necessary for Turkey to fulfill her NATO responsibilities. Section 3 also states that relaxation of the embargo shall only be effective while Turkey observes the cease fire on Cyprus, does not increase its forces on Cyprus, and does not transfer U.S.-supplied arms to that island.

Those who are concerned with punishing Turkey for misuse of American military equipment should understand that this bill, in effect, places Turkey on parole by denying important military credit and FMS cash purchases to Ankara until such time as Congress acts on foreign assistance legislation for fiscal year 1976.

In its most fundamental sense, the legislation we are debating today is recog-

nition that continued stalemate on Cyprus can only produce consequences unacceptable to all.

Supporters of the bill seek a step back from confrontation with Turkey and a chance to get the Cyprus negotiation off dead center. There is admittedly no guarantee that favorable House action today will lead to peace on Cyprus, mend the fissures in the southern flank of NATO, or even help determine the fate of the 13 American citizens presently unaccounted for on Cyprus. But surely, Mr. Chairman, anyone who looks at the situation objectively will have to admit that the prospects for progress on these fronts are virtually nonexistent under the present circumstances.

As a cosponsor of this bill and an active participant in the negotiations preceding it, I am frank to admit it is my considered opinion that Turkey acted in violation of provisions of U.S. law and agreements in force when it undertook its second phase offensive on Cyprus last year. One could also argue that the Government of Greece is also in at least technical violation of similar agreements, but this is not the question. Turkey has been punished, and punished by Congress, for her transgressions. For how long is it in the national interest of the U.S. Government to punish Turkey? I submit we have reached the stage where continued punishment is counterproductive, jeopardizes the policy objectives we have set out, damages our security interests, and threatens the vitality of important relationships.

Some would maintain that Turkey should be punished until she repents, and penance in this case implies a prior concession on the Cyprus issue. I think we can all agree that the bill before us would lack the drama and emotional content so evident today if the Government of Turkey would agree to make prior concessions, but the fact is that the Turks have made it apparent they are not prepared to make concessions under pressure. This attitude is not unique to the Government of Turkey. Nor, I submit, is it the proper role of the United States to use its leverage on Turkey or other Middle Eastern states to force concessions or prejudice negotiating positions. Our task is rather to help create an environment conducive to negotiations and encourage the parties to the dispute to meet and compromise their differences.

A favorable vote on this bill does not strip Congress of its prerogative in respect to future military shipments to Turkey. It does provide an incentive for the Turks to negotiate in good faith and, through the provisions of the Fraser amendment unanimously endorsed by the Committee on International Relations, establishes a suspense period—from now until such time as we can act on fiscal year 1976 foreign assistance legislation—in which Congress can gauge the Turkish attitude on Cyprus negotiations. The congressional oversight role is fully protected by the requirement that the administration report, at 60-day intervals, on progress toward a negotiated settlement of the Cyprus dispute.

I hope my colleagues on the floor will also bear in mind that, during its deliberations on the arms embargo, the Committee on International Relations addressed on several occasions the question of Turkish control over the opium poppy crop. While the opium issue is essentially unrelated to either the imposition or the relaxation of the arms embargo, it is nevertheless a question of considerable, understandable concern to the American Government. The Turks are currently harvesting their opium crop under a system of controls sponsored by the United Nations. It is still too early to determine if this system will prove effective, but I believe the Government of Turkey deserves an opportunity to demonstrate its good faith on this issue while we monitor the situation closely. I have every confidence that, with Ambassador MacComber serving in Ankara, the Congress will be kept fully and currently informed of any illegal diversion of Turkish opium production.

Congress today has an opportunity to give peace a chance in the Eastern Mediterranean, to make a creative, balanced contribution to American diplomacy. We are not being asked to endorse the administration's preference—a simple lifting of the arms embargo such as passed in the Senate. We are instead assessing an initiative of our own making, one intended to demonstrate our good faith to both the Greeks and the Turks, and one which will hopefully break the impasse that has eroded the strength of NATO, prolonged the tragedy of Cyprus and damaged our bilateral relations with important allies.

Mr. Chairman, after man-years of Executive preeminence, Congress is gradually and effectively asserting its shared responsibility in the conduct of our foreign relations. We have an obligation to see that a shared responsibility is responsibly shared. When Congress imposed the embargo on arms to Turkey, it worked its will on the administration; it initiated foreign policy.

Foreign affairs is not a static discipline. Regardless of the wisdom or lack of foresight inherent in the original decision to ban the shipment of arms to Turkey, it is now apparent that a continuation of this embargo is not in the best interests of the United States, Turkey, Greece, or the people of Cyprus. Action on this issue is imperative. Failure to pass the legislation before us can only result in damage to our vital security interests, increased tensions between Turkey and the United States, dangerous stalemate on Cyprus, and a greater likelihood of further hostilities in the area.

Mr. Chairman, there may be no more vital foreign policy decision before this body this year. I urge every Member to weigh the consequences of his vote carefully and make a judgment based on the real merits of the issue as it affects the national interest of this Nation and our allies.

Mr. FASCELL. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. ROSENTHAL).

(Mr. ROSENTHAL asked and was given permission to revise and extend his remarks.)

Mr. ROSENTHAL. Mr. Chairman, I rise in opposition to S. 846.

I agree with the gentleman from Michigan (Mr. BROOMFIELD) and the gentleman from Pennsylvania (Mr. MORGAN); the distinguished chairman of our committee, that this is a vitally important vote. It is probably the most important foreign policy vote in this Congress and probably one of the most important foreign policy votes in many, many years.

It involves a number of areas of great interest: United States-Turkish relations, United States-Greek relations, and U.S. relations with other arms purchasing recipients. It also involves deep NATO security interests, and, I think most importantly of all for the long-term future of U.S. national interests, it involves the role of the Congress.

What is the role of Congress in foreign policy? The gentleman from Pennsylvania (Mr. MORGAN) elucidated that the role of Congress must be subservient to the Chief Executive, that he is our Commander in Chief, and that when he, together with the National Security Council, lays out the course of conduct of the Nation, Congress must follow.

That is the question that is before us today.

Equal questions that we have to consider are whether the rule of law or the rule of pragmatism will prevail, whether principle will prevail over expediency; and this decision, each and every one agrees, must be based on U.S. national interests and on nothing else.

Like most of the important issues before the House, this is a complicated subject. It involves conflicts of values, of interest, and of obligations. Close allies are involved, and so, indeed, is an important principle of law.

Equally important for the future is our national policy on arms sales.

As I said earlier, the role of Congress in setting foreign policy limitations and restraint is in serious question.

Some of us have been involved for many years in this and in associated issues. As chairman of the Subcommittee on Europe, I have worked on U.S. policy in the eastern Mediterranean and toward Greece since 1967. During most of those years I had to oppose the Government in Greece and our policy of supporting the military dictatorship. There has been innuendo and talk today of the Greek lobby. Frankly, even though I am opposed to this bill, I would think I am one of the least likely members of that lobby because for 7 years in my community I had to explain to my constituents why I opposed the government in Athens.

Realistically speaking, the issue today is not whether we favor Greece or favor Turkey. The question really is as to what kind of government we are. The question is whether the rule of law still operates in our foreign policy.

I have been to both Greece and Turkey many times, and I know and respect the leaders of both countries. My carefully considered opinion is that both countries

will respect the United States, in the long run, only if we reject this bill.

S. 846 is bad policy, it is bad legislation, and it is bad precedent. It is bad policy because it continues a dangerous and basically unfair tilt toward Turkey. It is bad legislation because it carves a fearful loophole in the law which forbids the use of military aid, a law that has been in existence for over 20 years. It is bad precedent because the image of the United States submitting to extortion for the sake of military bases, no matter how worthwhile, will not be lost on the rest of the world.

I could tell the Members that the time I spent on issues concerning the Eastern Mediterranean is not necessarily pleasant, and it was not politically expedient, but this is an important area of the world. It is an important area with respect to both present and future American foreign policy. What we decide today will determine United States foreign policy in the Eastern Mediterranean and in the Middle East, as well as in the Persian Gulf, for the foreseeable future.

The vote we cast today will be registered in Portugal and Spain and in many other places.

The fact of the matter is that this bill cannot be sweetened. I think it is bad legislation which must be rejected as it is presented to us.

If the basic principles of law which have guided our foreign aid policy for 25 years are herewith today abandoned, we may as well abandon any future help of a balancing and meaningful role for Congress in foreign policy.

The separate views in the report list nine reasons why this is bad legislation.

Mr. Chairman, the nine points to which I refer are as follows:

(1) *The so-called compromise is no compromise.* In exchange for a resumption of arms sales, Turkey is required to do nothing to correct actions it took on Cyprus. These aggressive actions, made possible by American weapons, caused the arms cutoff.

(2) *A major principle of American foreign policy is abandoned.* Reviving arms to Turkey without any action by Turkey to remedy the consequences of its aggression abandons a fundamental principle of American foreign policy—that weapons are supplied by the United States to other countries for defensive and not for aggressive purposes.

(3) *Restoring arms sales to Turkey condones the continuing violations of law and bilateral agreements.* Over 30,000 Turkish troops, equipped with American arms, still occupy 49% of Cyprus, an independent country. 180,000 Greek Cypriot refugees remain homeless. Turkey refuses to deal with these conditions.

(4) *This bill encourages further Turkish aggression.* Arms ordered by Turkey before the embargo would be released "notwithstanding any other provision of law" including prohibitions against offensive use of American supplied arms. Turkey could use these arms, and all commercial arms which it is also allowed to buy under this bill, in aggression against Greece.

(5) *Resuming arms sales would be yielding to Turkish extortion.* This bill is a surrender to the Turkish threat to close U.S. bases. Yielding to such a threat invites other countries to hold hostage 300 major U.S. overseas bases.

(6) *Passage of S. 846 would encourage other countries to misuse U.S. arms.* Over \$8 billion in U.S. arms were sold abroad last

year. The legal restraints prohibiting the transfer of these arms and limiting their use to self-defense will be severely eroded elsewhere if Turkey can resume buying U.S. arms under present circumstances.

(7) *The arms embargo has not produced progress on Cyprus because it has been undermined publicly and privately by the Department of State.* On February 16, 1975, 11 days after the arms ban went into effect, an Administration proposal was introduced in the Senate to repeal the arms ban. Administration spokesmen have consistently and repeatedly blamed Congress, which is enforcing the law, instead of Turkey, which is violating it, as the obstacle to peace. This has encouraged Turkey to remain intransigent with the expectation that the Administration would soon cause the ban to be lifted.

(8) *Resumption of arms sales to Turkey could severely damage Greece.* Rearming Turkey could have a "catastrophic" effect on the new democracy in Greece according to former Under Secretary of State George Ball when he testified in opposition to this bill. To rearm Turkey without the fundamental restraints of our laws, as this bill proposes, could also endanger U.S. bases in Greece and a revived Greek role in NATO.

(9) *Opponents of this bill support NATO and want both Greece and Turkey to resume their full participation in the alliance.* American policy must move toward rebuilding the southeastern flank of NATO by supporting a prompt and fair settlement on Cyprus. As long as U.S. policy tilts toward Turkey, the rebuilding of NATO is impossible.

Mr. DERWINSKI. Mr. Chairman, I yield myself 10 minutes.

(Mr. DERWINSKI asked and was given permission to revise and extend his remarks.)

Mr. DERWINSKI. Mr. Chairman, I believe it is important that, to the degree possible, we keep the debate on this issue directed to the actual facts.

When we stop to think that in the background of any discussion of an issue involving Greece and Turkey, there are over 500 years of historic animosity, one can understand the ease with which a debate and discussion could get completely out of hand.

Mr. Chairman, I rise today to urge the Members to vote against S. 846, as amended. The basic issue in my judgment is whether or not there has been sufficient progress on Cyprus to logically permit resumption of arms shipments from the United States to Turkey.

As we all know, S. 846 allows: a. immediate shipment of \$185 million in arms ordered by Turkey before the February cutoff; b. immediate resumption of all commercial arms sales, and c. arms sales by the U.S. Government later this year, including credit sales at subsidized interest rates.

Like many others who oppose the bill, I favor resumption of arms shipments to Turkey, but I believe this should take place only after specific progress has been achieved in restoring property rights to refugees on the island and substantially reducing military forces on Cyprus.

Like many Members, I am also concerned over the fundamental principle that countries receiving or purchasing arms from the United States should not use them for purposes other than the definite alliances by which they are approved.

Those Members who served in the last session will recall that starting in September of 1974 there were a series of resolutions containing restrictions on U.S. arms shipments to Turkey. This came about as the result of the invasion of Cyprus by the military forces of Turkey. Basically, the Congress at that time was saying that there should be a prohibition against further shipment of military arms to Turkey until there was "substantial progress" on the Island of Cyprus.

The original resolution called for "substantial progress." Later on there was a term, "good faith efforts" that was involved in the House and Senate negotiations.

Finally, the third resolution, which was passed, if I recall correctly, in the lame duck portion of the session, required that Turkey not break the cease-fire agreement, nor increase its troops on Cyprus.

This eased the shipment of arms temporarily, allowing for the shipment of spare parts.

Then when this Congress again faced this subject early in this session the present restrictions were placed in a continuing resolution.

In February of 1975, Secretary Kissinger under these provisions, had to announce that only "slight" progress had been made through negotiations on Cyprus.

This is where we find ourselves today.

It is my understanding that later this week the next scheduled round of discussions between the Turkish and Greek Cypriots are planned, and will undoubtedly take place, but I am afraid they will not produce progress, which is the real issue before us.

We all recognized, regardless of one's view on the bill that is before us, that both the Government of Greece and the Government of Turkey face major political complications of their own because of this issue. The fairly new Government of Greece under Mr. Karamanlis cannot make any major concessions on any of its negotiations with Turkey unless there is substantial progress on Cyprus. We have also been told repeatedly that the Government of Turkey, which is a coalition government, could lose control of the Parliament there if it made major concessions in this respect.

We as Members of the Congress know the domestic pressures that we often face, and therefore, we can understand the pressures on the Parliaments of Greece and Turkey.

I would like to concur with the point made earlier by the gentleman from New York (Mr. ROSENTHAL) that this is not a Greek-versus-Turkey issue. Those who are opposed to this message are not doing so as what the press has labeled the Greek lobby." I think that is a very erroneous and oversimplified concept. As I understand the situation, the issue is whether or not there has been substantial enough progress on Cyprus to warrant the resumption of military sales to Turkey.

If in the judgment of a New York Member the situation on Cyprus is that

of substantial progress, then that Member should vote for this measure.

But if a Member believes, as I happen to believe, that there has not been substantial progress on Cyprus, then a "no" vote is called for.

I should also point out that, in this context, that the Greek-Americans across the country who have communicated with all of us in telegrams and mailgrams, letters and telephone calls, are not doing anything more than any other group of interested Americans would do on any subject. The fact that the Greek-Americans feel very involved in this issue and are very concerned with it is perfectly understandable. There is not anything inconsistent with any group of people in America feeling a special pride or interest in the land of their forefathers. If in this case the Greek-Americans are especially concerned, we should expect this as a matter of practical fact. I do not think this should be labeled a Greek lobby or Greek pressure. It is the legitimate views of a very interested group of American citizens.

One last point I wish to make at this time, Mr. Chairman, is my concern over the future of NATO and, of course, the future of United States-Turkish and United States-Greek relations. I have here in my hand a recent article from the Chicago Daily News, and the headline in the article reads: "Kissinger and U.S. Villains to Greece."

We have nothing to gain, as I see it, by alienating either the governments or the peoples of Greece or Turkey. Unfortunately, the Secretary of State, as this headline indicates, has been cast in the role of a villain. I submit that that is obviously an exaggeration but, nevertheless, it is a fact—a fact insofar as opinion is concerned. It is a fact insofar as public opinion in Greece is concerned.

I think what we all want, even though we are not agreeing on the formula to obtain it, is a solid NATO. We want continued strong ties with Greece and continued strong ties with Turkey. We want the Greeks and Turks to remain allies. They have far, far more to gain by working together than they have by drifting apart.

Our differences of opinion today rest on this very simple basis. Has there been enough progress in the resettlement of refugees, the restoration of property rights, of progress in negotiations between the Greek and Turkish-Cypriot leaders? Has there been enough of a withdrawal of troops so that the Government of Cyprus is in fact in control of its island, its domain? One point I am making at this time and that is in my judgment it is not the case. There has not been sufficient progress on Cyprus to warrant the resumption of the shipment of military equipment to Turkey.

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. FASCELL).

Mr. FASCELL. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana (Mr. BRADEMAs).

(Mr. BRADEMAs asked and was given



permission to revise and extend his remarks.)

Mr. BRADEMAS. Mr. Chairman, I rise to urge my colleagues to vote today against the bill, S. 846.

I believe, for a number of reasons, that it would be a profound mistake, in terms of the national interest of the United States, for the House to approve this legislation.

Let me, Mr. Chairman, here set forth the reasons that I believe the House should reject S. 846.

First, this bill, which has been described as a "compromise" is no compromise.

Under the bill, Turkey gets arms from the United States but Turkey is required to do nothing with respect to the Turkish action which caused the cutoff, the use of American arms on Cyprus. Let me here note, Mr. Chairman, that opponents of arms to Turkey have consistently favored resumption of arms provided Turkey takes steps to remedy the consequences of its action on Cyprus, especially with respect to the humanitarian problem of the nearly 200,000 refugees who have been displaced from their homes.

The gentleman from Maryland (Mr. SARBANES) and I visited some of these people on Cyprus last January. Many of them are living in tents.

There is a second reason the House should reject S. 846. It is that the resumption of arms to Turkey without action by Turkey to remedy its aggression on Cyprus will explicitly condone clear violations of conditions of U.S. law and bilateral agreements between the United States and Turkey under which Turkey received the arms.

Mr. Chairman, the issue represented by S. 846, is an issue of the rule of law.

Both the Foreign Assistance Act and the Foreign Military Sales Act contain provisions prohibiting the use of arms supplied by the United States for aggressive purposes and both laws mandate an immediate cutoff in further arms to any country violating this condition.

Surely, Mr. Chairman, Congress cannot be accurately characterized as meddling in the conduct of foreign policy when Congress insists that the laws of the United States be enforced.

A third reason S. 846 is a bad bill, Mr. Chairman, is that the approval of arms to Turkey which S. 846 authorizes only encourages other nations buying or receiving U.S. arms to use them without restraint.

The distinguished former Under Secretary of State, George Ball, in testifying against this bill, warned of the "explosive" effects of a failure by the United States to insist on restrictions on the use of arms that we supply to other countries. With U.S. arms exports increasing dramatically, especially to such volatile areas as the Middle East, such dangers appear all too real.

A fourth reason for the House to reject S. 846 is that by approving arms to Turkey and thereby condoning the use of American arms for aggressive purposes, we will be signaling the abandonment of a fundamental principle of American foreign policy. Turkey conducted its massive invasion of Cyprus on August 14, 1974,

with American arms and continues its occupation of 40 percent of Cyprus with American arms.

Mr. Chairman, there is a fifth reason that S. 846 is bad legislation.

The resumption of arms to Turkey which this bill authorizes would have a very damaging impact in Greece.

Such resumption could threaten the new democracy there. Former Under Secretary George Ball told the Committee on International Relations that passage of this legislation would have a "catastrophic" impact in Athens with little hope of bringing about constructive response in Ankara.

Moreover, approval of the legislation could endanger both U.S. bases in Greece and a revived role for Greece within NATO.

There is still another reason the House should reject S. 846, Mr. Chairman. Resumption of arms to Turkey without remedial action by that country on Cyprus would be to yield to Turkish blackmail threats to shut down U.S. bases there.

Secretary of State Kissinger said in Atlanta, Ga., last month that the United States would not surrender to threats of this kind from other countries but, of course, that is precisely what S. 846 represents.

And, Mr. Chairman, for the United States to yield to such Turkish threats would be to invite similar threats to U.S. bases by other countries in which they are located.

Mr. Chairman, we have repeatedly been told by the administration that the arms embargo has not produced progress on Cyprus and should therefore be lifted. But the fact is that Secretary of State Kissinger has, by both public and private automatic, undercut the effectiveness of the embargo from the start.

On February 16, 1975, 11 days after the arms ban went into effect, Mr. Kissinger's bill to repeal the ban was introduced in the Senate. Mr. Kissinger has consistently blamed Congress, which is enforcing the law, instead of Turkey, which is violating it, as the obstacle to peace.

Mr. Chairman, Mr. Kissinger's statements and actions have encouraged Turkey to believe that the administration would be successful in reversing Congress on the Turkish aid issue. It is obvious that this approach served only to kill any incentive Turkey would have had to make concessions on Cyprus. And, Mr. Chairman, I should point out that arms flowed to Turkey from July to February but that during that time Turkey showed no willingness to make concessions on Cyprus.

Mr. Chairman, if we pass S. 846 today, we will not only be authorizing the immediate shipment of \$185 million of arms to Turkey and we will not merely be allowing the immediate resumption of commercial sales by U.S. arms manufacturers to Turkey. By passing S. 846 we will also be authorizing the automatic resumption this year of all sales by our Government of military goods to Turkey by cash or by credit subsidized by American taxpayers immediately upon enactment of the regular foreign assistance bill.

I conclude, Mr. Chairman, by saying that S. 846 is a bad bill. It means a surrender by Cyprus of principle, a surrender by Cyprus of its proper role in insisting that our laws be faithfully enforced. It would mean opening the door to further and dangerous abuses of arms supplied by the United States to other countries.

Mr. Chairman, in the interest of America, this bill should be rejected.

Mr. MORGAN. Mr. Chairman, I yield myself 1 minute because I think the Record should be corrected with respect to one statement made by my good friend from Indiana.

I have in my hand here a "Dear Colleague" letter signed by the gentleman from Minnesota (Mr. FRASER), the gentleman from Ohio (Mr. WHALEN), and the gentleman from Alabama (Mr. BUCHANAN).

This letter says:

George Ball, who testified in opposition to the bill as originally before the Committee, did testify at that time that the U.S. should do something.

His present position is that while he would have preferred that the bill contain a direct linkage to negotiations on Cyprus, that with the Committee amendment which defers any new sales until Congress acts on the military authorization in the fall, on balance it is better to pass the bill as amended than to kill it.

I just want to say that George Ball's position has changed with the adoption of the Fraser amendment.

Mr. BROOMFIELD. Mr. Chairman, I yield 6 minutes to the gentleman from Ohio (Mr. WHALEN).

(Mr. WHALEN asked and was given permission to revise and extend his remarks.)

Mr. WHALEN. Mr. Chairman, whether or not to continue military aid to Turkey has been the most troublesome issue with which I have had to deal since joining the International Relations Committee in 1971.

With one exception, I have voted for every resolution terminating military assistance to Turkey. I did so for two reasons.

The first was a matter of principle. I felt it wrong to continue to supply weapons to a nation which had used our equipment in invading another country.

Second, I hoped that the discontinuance of aid would result in meaningful concessions by Turkey in the Cyprus negotiations.

Mr. Chairman, it is not easy for a politician to admit a mistake. But I am compelled to do so today, because it is clear to me that I was wrong in both of the assumptions upon which I predicated my past Turkish aid roles.

First, I was not fully informed of all of the facts relating to the use of American arms in Cyprus. I was aware that actions by the Greek Government precipitated the Cyprus conflict. However, I only learned recently that Greek troops equipped with infantry-type American weapons were sent to Cyprus to reinforce Greek troops, 700 of which were illegally positioned there since 1967. Mr. Chairman, principles of law must be applied uniformly. It is now obvious to me that

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the Congress has not done so in the case of last year's Cyprus conflict.

Second, I misjudged human nature. As has so often happened in the past, a congressional threat generates a response quite the opposite from that which we intended. Turkish politicians are confronted with the same pressure as we are. Thus, I should not have been surprised that national pride would preclude Turkey's caving in to congressional dictation.

For these reasons I have changed my position of the question of limited military aid to Turkey. Thus, Mr. Chairman, I rise in support of S. 846, as amended by the Committee on International Relations.

Today the House should consider this measure in the light of two questions: first, has the objective of the aid ban been achieved? Second, what might we expect if the Congress fails to enact S. 846, as amended?

Let me discuss each briefly?

First, has the cutoff goal been attained? Obviously not, for the reasons which I already have indicated. Cyprus negotiations still are stalemated.

Second, what might occur if the Congress continues to apply a principle unevenly?

The negotiations stalemate undoubtedly will continue. We must remember that concessions are all one way. It is only Turkey which, literally, can give ground.

Congress will put the Government of Turkey in the unwilling, but politically necessary position of taking retaliatory actions against us with respect to our important military bases there.

The Turkish armed forces, in the short run will feel the pinch of the embargo. In the long run, however, Turkey can purchase comparable arms from any number of other nations.

The situation in the Middle East would be further destabilized if Turkey obtains cash or credits from the oil-rich Arab states with which to pay for these acquisitions.

Mr. Chairman, the United States, regrettably, is in the middle of an age-old dispute between two valued friends. Since we already have chosen to ignore the principle of equal application of the law, two other factors command our consideration as we vote on this measure today.

First, will passage of S. 846, as amended, bring progress toward a Cyprus settlement? This I cannot guarantee. The President believes it will. But we do know that the present approach has not worked.

Second, is enactment of amended S. 846 in our national interest? The answer is an unequivocal "Yes." Failure to do so will jeopardize our intelligence-gathering capacity, will weaken NATO, and will perpetuate a cancer which threatens peace in the Middle East and, indeed, the world.

Mr. Chairman, I urge adoption of S. 846, as amended.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. WHALEN. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I am impressed by the thoughtful presentation the gentleman has made, and would like to associate myself with his remarks as the reason why I too join in urging support for this bill.

Mr. WHALEN. I thank the gentleman for his support.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. PEYSER).

(Mr. PEYSER asked and was given permission to revise and extend his remarks.)

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to my colleague from New York.

Mr. ROSENTHAL. Mr. Chairman, the gentleman from Ohio (Mr. WHALEN) has neglected to mention that under section 614 of the Foreign Assistance Act, the President had up to \$50 million in grant military assistance which he could give to any one country in any year. In other words, last fiscal year, which ended on June 30, the President could give Turkey \$50 million. Beginning on July 1st, the President could give another \$50 million. The gentleman from Ohio at no point entered that consideration into his theory of what might happen if this bill is defeated.

Mr. PEYSER. I thank the gentleman for his comments.

Mr. Chairman, this is not an easy vote for me today. I am a Republican, and we have, I believe, an outstanding Republican President sitting in the White House today. But, I also feel that if President Ford were sitting in the House with us today as a Member of Congress, I am confident he would say to us, "Listen to both sides of the argument and act using your own judgment as to what you think is best for this country."

I am equally sure he would never suggest that Congress act as a rubber-stamp for the executive branch. I have very much appreciated the opportunity given to me by President Ford to let me hear the administration's side of the picture, and I am equally indebted to the many Members of this body, who have been actively involved over the past 8 months, in learning their points of view. I have, after careful thought, reached a decision on this issue. My decision is based on many factors; but due to the very limited time, I am going to touch on just two of them.

In the fall of 1972 the Turkish Government put into force an agreement reached with the U.S. Government not to have its people grow the poppy that is ultimately used for the production of heroin. In exchange for this, the United States agreed to pay the Turkish Government in excess of \$35 million. There is no need for me to outline to the Members the havoc that was being wrought in this country by the influx of heroin.

In the summer of 1974 the same Turkish Government ultimately broke its agreement unilaterally and once again reinstated the right of the farmers in

Turkey to grow the poppy. It is estimated by our people this year that over 140 tons of opium will be produced in Turkey.

The impact on our country, if we are not successful in stopping the flow of heroin into this country that is now being produced, is going to be perfectly terrible. For this reason, I feel that the word of the Turkish Government is very much in doubt. This is a government that today says to us: "Approve our arms deal or we will throw you out of the military bases."

I would also like to note that today in the press the Government of Jordan—and this is King Hussein speaking—said:

Do not attempt to scale down our arms deal or we will go elsewhere. Such attempts will entail adverse effects on the United States and Jordan relationships.

I wonder, are we really about to go down a road in foreign affairs that has a signpost on it that says, "Shout loud enough, threaten us enough, and we will give you what you want, whether we agree with it or not."

I am beginning to believe we are in a period of foreign policy by blackmail, and I hope we can get out of that period and get out of it right now and that foreign governments recognize that our actions will not be controlled by threats.

I believe that the people of this country want us to be part of the world community, but they want and demand that we in Government act independently and not under the threat of reprisal.

I believe that this vote today against further aid to Turkey, at this time, will make our feelings very clear.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DERWINSKI. Mr. Chairman, I yield 2 additional minutes to the gentleman from New York (Mr. PEYSER).

Mr. WHALEN. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from Ohio.

Mr. WHALEN. Mr. Chairman. I just wanted to refer to the question posed by the gentleman from New York (Mr. ROSENTHAL). Of course, it is true that during my remarks I did not mention the fact that the President does have a so-called waiver authority, authority to issue some \$50 million worth of equipment to Turkey. But this is not the issue. The issue concerning the Turkish Government is the action of the U.S. Congress. If the President does issue a waiver authority, this in no way removes or resolves the issue in the minds of Turkish officials.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from New York.

Mr. ROSENTHAL. Mr. Chairman, the issue is the position of the U.S. Government. If these bases are important—and I think they are important—then the President could have done something to help resolve the issue by giving a grant of \$50 million to Turkey this year and \$50 million this week—that is \$100 million—and if Turkey responded firmly to

that, then I would have been in the forefront of leading the Congress to rescind the arms embargo.

Mr. WHALEN. Mr. Chairman, will the gentleman yield so that I may respond to the gentleman from New York?

Mr. PEYSER. I yield to the gentleman from Ohio.

Mr. WHALEN. Mr. Chairman, I say this is in no way the issue. The Turkish Government is not concerned with the attitude of the administration. It is the administration which is, after all, trying to achieve a partial lifting of the ban. The Turkish Government is concerned with the position of the U.S. Congress, and by failing to act, the problem would still pertain.

Mr. PEYSER. Mr. Chairman, there is one statement I would like to make before my time is up.

There are many of us who are taking this position today against giving aid to Turkey who have consistently voted in support of defense funds for the continued strength of the United States and for keeping the United States stronger than any nation in the world.

Mr. FASCELL. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New York (Mr. RANGEL).

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Mr. Chairman, I would like to emphasize what has just been said by my dear friend, the gentleman from New York (Mr. PEYSER).

It seems as though we have been just concerned with the sensitivities of the Turkish people and their internal political problems, and not the integrity of this Government. The integrity of the U.S. Congress has never become an issue as far as the Turkish Government unilaterally violating an executive agreement is concerned.

The question is: What good is any agreement that we legislate or that the executive branch goes into? What difference does it really make whether we put restrictions on arms that we ourselves give to other nations?

The fact of the matter is the integrity of this country, regardless of who was the President at the time and regardless of who was heading the Turkish Government at the time, involves certain principles of international law and decency. If it means, because the Turkish Government changes its leadership because of political problems, that then Turkey can decide to go into the growing of opium, then we should not have gone into the agreement.

What bothers me is not that one country may insult the United States but that my country will join in that insult instead of asking for enforcement of the agreement. If we were asking diplomatically for explanations as to why the agreement was not enforced, then perhaps I could stand here and say that at least our country is concerned about these tons of poison, this heroin that flows into the streets of our cities; I could be assured that our Government is concerned about the problem.

But what do we find instead? We find our Ambassador, Ambassador Macom-

ber, who fought vigorously, without any support from our administration, begging the Turkish Government to abide by its agreement. And they ignored him, Secretary Kissinger made no remarks, publicly or privately, about the Turkish decision. Then we find our representatives in the United Nations lauding the Turkish Government because they decided to grow opium and produce it by using a straw process that nobody in the United States of America is familiar enough with to know what is going on, since they have no straw-processing machinery in Turkey.

The Turkish Government tells us that they do not want Americans involved in oversight, and that only the United Nations will be able to give them assistance to avoid diversion of opium from their fields, and yet it is this very same Turkish Government that said that the only way to control diversion of opium was to have a ban on opium in Turkey.

If 4 years ago they could not control the growth or the diversion of opium in four provinces, how in God's name are we going to believe that they can control it in eight provinces.

It bothers me that nobody in the State Department has even raised this as an order of priority. I have been told by the State Department and the executive branch that we have to wait to see what happens.

Members of the House, I think that when we go into a contract, at least our side, the party representing the interests of the United States, should not say that we will wait to see what happens.

The Drug Enforcement Administration is just as much a part of the executive branch as the Secretary of State. Therefore, when we go to the Drug Enforcement Administration, the former Director has been saying that we expect that in August and early September, as a result of a bumper opium crop, that the heroin will be on the streets of the United States of America, and the executive branch immediately responded by saying, "Mr. Bartels, you are an honorable man, but you are fired from your job."

That has been the only voice which has been undisputed as the head of the Drug Enforcement Administration, and nobody who has taken over since Mr. Bartels has been fired and has given me any security to believe that that Turkish opium will not be reaching the streets of New York and other major cities.

Therefore, my colleagues, some Members may think that it is unrelated. They may say, "What does this have to do with our international relationship?" I am telling the Members that we are asking the Congress today to enter into some kind of compromise, and based on this, we do not know whether the Turkish Government is going to do anything because they have not agreed to do anything.

I would suggest and respectfully ask the Members to do this: Look at what they did the last time when they actually entered into an agreement. What they decided to do unilaterally, without even telling our President or our Congress, violate the agreement.

The CHAIRMAN. The time of the gentleman from New York (Mr. RANGEL) has expired.

Mr. DERWINSKI. Mr. Chairman, I yield 1 additional minute to the gentleman from New York (Mr. RANGEL).

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. RANGEL. Yes, I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, I would like to ask the gentleman from New York (Mr. RANGEL) this question: In the event the lifting of the embargo is not successful, does the gentleman think, in his judgment, that we will have better control, better relations with Turkey over the poppy issue? I think we will have less, and I think it is important.

I think the gentleman will agree that we have one of the top diplomats in the State Department in Bill Macomber, who is working extremely closely with the Turkish Government. They know of our concern.

The gentleman in the well made a very fine presentation before our committee. This is of top priority to the Government of the United States, but I think we would be in a much better position with respect to the lifting of the embargo if our relationships would continue. This is not going to be a low priority matter.

Will the gentleman comment on that?

Mr. RANGEL. I certainly will because until the Turks were in trouble in Cyprus, this never was a priority item with this administration, and my dear friend, Bill Macomber, one of the most dedicated public servants I have ever met, was in the battlefields alone fighting the Turks until the Cyprus situation came along.

Mr. BROOMFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. BIESTER).

(Mr. BIESTER asked and was given permission to revise and extend his remarks.)

Mr. BIESTER. Mr. Chairman, I fully appreciate the sensitivity of this issue to each of us as Members.

I would not come to the well of this House and urge a single colleague to risk the anger of good friends and supporters unless I were certain that the interests of the entire American people demanded it.

We have heard arguments and discussion here today about what the role of Congress ought to be in these issues. Obviously, the role of Congress should be that of an equal partner in the development of foreign policy. That is a constitutional responsibility. However, Mr. Chairman, that constitutional responsibility imposes upon each of us, as a Member of Congress, to dispose that responsibility wisely and well in the long-range and short-range interests of all of the American people.

Incidentally, Mr. Chairman, I was somewhat astonished to hear the gentleman from New York (Mr. ROSENTHAL) after a very eloquent initial speech about the role of Congress, say that he would prefer that the President, not the Congress, proceed to ship arms to the Turks.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?



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Mr. BIESTER. I yield briefly on that point.

Mr. ROSENTHAL. Mr. Chairman, my point is that I do not want to see the fundamental law changed, and if the pragmatic situation is in the interest of the United States to get some dialog going with the Turks, then the President has the unique opportunity under existing law to do this, and he chose not to do it.

Mr. BIESTER. Mr. Chairman, I continue to be astonished by the gentleman's remarks.

Mr. Chairman, the strong argument for this bill lies not in any words that we can offer here but lies instead in a view of the map of the Mediterranean Sea. We cannot underestimate the significance of the entire Mediterranean area in terms of a potential outflanking of western Europe and thereby the Finlandization of western Europe.

We dare not be naive about the Soviet ambitions not only in the eastern quarter of the Mediterranean which they have well displayed, but their ambitions throughout the entire Mediterranean which they display in their interest in the Government of Libya, which they display in their interest in the events in Portugal and which they display in the development of the Communist Party strength in Italy. Certainly each Member of this House must understand thereby the significance and importance of both Greece and Turkey as allies and friends of the American people.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 additional minutes to the gentleman from Pennsylvania.

Mr. BIESTER. Mr. Chairman, this is an ancient issue, it is not a new one. Why should we be surprised because in the middle of this ancient issue a proud people like the Turks would decline to be interested in movement toward compromise under the pressures of the American Congress?

Realistically, Mr. Chairman, any Turkish Government which conceded and caved in under that pressure would be swiftly replaced by one which would then repudiate the compromise earlier reached.

I have sat in this Chamber and I have listened over and over again to the development of the idea that we in America must become accustomed to a new role in the world in which, as it has been expressed in recent years, arrogance of power ought not to let us believe that we can control all the issues of the world all the time. In this instance we cannot as an outside party force either one of these two currently quarreling friends of ours to take a particular position in the solution of their long-term dispute. We dare not, in the pursuit of trying to live up to the letter of our own law, under circumstances in which its application is far from clear, jeopardize the long-range interests of the American people.

One can say that he does not care about those bases in Turkey, but, Mr. Chairman, any analysis of what those

bases are and what the losses of those bases would mean to the security of the American people, is something each Member will have to consider as he or she casts his or her vote. Are we to ignore the data on the Soviets' space and missile programs? Are we to ignore the data about the early warning radar on Soviet missile attacks? Are we to ignore the data concerning verification of Soviet compliance with agreements limiting ABM development?

I urge support of this legislation.

Mr. FASCELL. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. JOHN L. BURTON).

(Mr. JOHN L. BURTON asked and was given permission to revise and extend his remarks.)

Mr. JOHN L. BURTON. Mr. Chairman, I rise in opposition to this resolution. I would like to address myself briefly to the great importance that everybody says these bases in Turkey have. I would hope to God that the strength of America and the protection of our people is not based upon an unstable nation, and that we have to rely on Turkey, whose government is unstable, to protect us and give us information regarding the Soviet Union. If we have to do that, we are in big trouble.

I submit, one, the question is Congress and Congress attitude. I think we expressed our attitude last year. We have a right to express it this year. We are being asked to submit to blackmail from Turkey that they might take away these bases from us. I have been told that if all of these bases are taken away we would have to spend \$250 million to come up with the expertise to give us the type of oversight that these Turkish bases give us. But I would rather spend that money and have that oversight within the jurisdiction of this Nation and not in the jurisdiction of a government that is unstable.

The present law merely states that the President certify good faith efforts are being made and that Turkey is obeying the laws of our land. This resolution would not be necessary if that were so, but Turkey has not shown good faith. They have not obeyed our laws, and, therefore, the administration is coming back with Secretary of State Kissinger again saying that he knows it all. He has given his commitment somewhere, and he can break the back of the legislative branch of the people of the United States.

I said last year during the Turkish debate that Kissinger ought to go. I say today Kissinger ought to go, and I think that the Congress, the duly elected Representatives of the American people, should make these determinations. I urge a "no" vote.

ANNOUNCEMENT BY THE CHAIR

The CHAIRMAN (Mr. SISK). Let the Chair admonish the guests in the gallery that they are not to audibly demonstrate or manifest any feeling in connection with debate on the floor. The Chair would expect adherence to that rule.

The Chair recognizes the gentleman from Pennsylvania (Mr. MORGAN).

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. SOLARZ).

(Mr. SOLARZ asked and was given permission to revise and extend his remarks.)

Mr. SOLARZ. Mr. Chairman, this is the most difficult question which I have ever confronted in the 7 years I have been in public life. I think the pros and cons with respect to this legislation are so exquisitely in balance that I find it difficult, indeed, to make a determination as to what to do. There are without question strong and substantial arguments on both sides of this issue, and it was with great reluctance, and only after the most serious thought, that I decided to change my mind and support the legislation before us.

I thought that I might briefly this afternoon share with the Members what were for me the governing considerations in this regard. First, I think that we have in Turkey some critically significant intelligence installations which it is clearly in the national interests of our Nation to maintain. I am referring now not to the NATO bases in Turkey, not to the Air Force and naval bases of our own country in Turkey, but rather to those intelligence installations which provide us with a range of information involving the SALT agreements, Soviet intercontinental ballistic missile capacities, and Soviet troop movements, which it is absolutely essential for us to have. To be sure, we could build bases elsewhere in the general area in the unfortunate event that our intelligence installations in Turkey were closed down. But on the basis of information available to our committee and to the Congress as a whole, I think it fair to say that the reliability of our intelligence estimates in the event our installations in Turkey were closed down would be substantially and significantly reduced.

Insofar as these installations give us the capacity to monitor Soviet adherence both to present and possibly to future nuclear arms limitations as well, I think it is critically important for us to maintain our position in Turkey. As someone who is very much committed to the principle that the peace of mankind is contingent on progress in further nuclear disarmament talks with the Soviet Union, I think it very clear that our capacity to enter into such agreements depends on our ability to monitor Soviet adherence to them.

Second, I decided to support this legislation because it seems to me it would tend to facilitate progress in the negotiations between Greece and Turkey with respect to a resolution of the conflict over Cyprus. Quite clearly, any progress in the negotiations is contingent upon concessions by the Turks who, through their control of over 40 percent of the land mass and the presence of 35,000 of their troops in Cyprus, regrettably and unfortunately hold most of the cards in their own hands.

So far we have had the embargo in existence for 6 months and it seems fair to say that however well intentioned the embargo might have been, it has served to harden rather than soften the Turkish

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position concerning conflict on Cyprus. There is, of course, no guarantee that if the embargo is lifted the Turks will be willing to make the kind of concessions which everyone agrees are a precondition for a solution of the problem. But I think it fair to say that if the embargo is not lifted it is quite clear that concessions will not be made, while if the embargo is lifted there is reason to hope that concessions will be made.

The political situation in Turkey today is such that the Turkish Government is composed of a very shaky coalition which received a vote of confidence when it was first installed by a margin of only 4 votes in the Turkish Parliament. It consists of political parties which are adamantly opposed to any concessions with respect to Cyprus and it is opposed by an opposition party led by the former Prime Minister of Turkey who was in office when the invasion first took place and who as a consequence of that is enormously popular with the Turkish people.

There is strong reason to believe that in the absence of lifting the embargo the Prime Minister of Turkey, however much he might hope to get these negotiations under way, would lack the political ability to do so. It is our hope that if the embargo is lifted it might strengthen the hand of the Turkish Prime Minister sufficiently to enable him to go to the Turkish Parliament and muster enough support to permit him to make the kind of conclusions which are necessary for our agreement.

If lifting the embargo does not work, then there is no reason why the Congress cannot reimpose it. I think it is quite clear that the committee voted to lift the embargo partially in the hope and expectation that it would facilitate concessions by the Turkish Government. I would point out that the Fraser amendment, adopted in committee, provides that no arms can be given to the Turks through government sales, credits, or guarantees until enactment of the Foreign Military Sales Act later in the year. So we will have an opportunity, if this bill passes today, to observe whether or not the Turkish position softens and, if it does not, then I for one would be willing to reimpose the embargo and to vote against any military assistance for Turkey when the Foreign Military Sales Act comes up in the fall.

The major argument against this bill, to my way of thinking, is that there is a fundamental principle involved here and that, if we lift the embargo on Turkey, we will somehow vitiate the restrictions on the use to which American arms can be put by other countries that have bought our weapons elsewhere in the world. This is a significant argument which deserves serious consideration. But I would say, by virtue of the fact that we did impose an embargo for 6 months, that we have already made it clear that we are prepared to penalize those countries which violate the restrictions on the use to which our weapons can be put.

Second, I think this argument is not fully responsive to the complexities of international politics. The fact is that in the last 30 years there have been a series of conflicts including the first Vietnam

war from 1945 to 1954; the Nicaragua-Costa Rica dispute in January 1955; the Suez war in 1956; the Honduras-Nicaragua dispute in 1957; the Indonesia-Malaysia war from April 1963 to June 1966; the Rann of Kutch incident in April 1965; the India-Pakistan war in September 1965; the 6-day war in the Middle East in June 1967; and the El Salvador-Honduras war in 1969.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BROOMFIELD. Mr. Chairman, I yield 1 additional minute to the gentleman from New York.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. SOLARZ. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Chairman, I want to congratulate the gentleman in the well for presenting a well-reasoned statesmanlike position on this bill. I know it has not been easy politically for the gentleman to come to this position. I regret that only a relatively few Members of the committee are present to hear it, because I think it sums up the whole case for the resolution in a splendid manner.

Mr. SOLARZ. Mr. Chairman, I would like to conclude by referring, in addition to the conflicts I have already mentioned, to the Indo-Pakistan war in 1972, and the Omani-Dhofar war from 1972 to 1974, and the Kurdish Civil War from 1967 to 1975, where American weapons were used in a highly dubious fashion and is a way which was presumptively in violation of the restrictions which we had imposed on them.

So what I simply suggest is that the realities of international life are such that, in the final analysis, the countries to which we sell or give our weapons will determine whether or not to use them on the basis of the immediate situation which confronts them rather than on the basis of abstract principles embodied in the laws of our own land.

Mr. FASCELL. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. RIEGLE).

Mr. RIEGLE. Mr. Chairman, I will have more to say later when I have more time, but I think the proposal before us now to end this embargo is really a terrible mistake.

It is true that we have not accomplished anything during the time that this embargo has been in place. That is because this administration and this Secretary of State have made it absolutely certain that there would not be any progress by opposing the embargo, by fighting in every way to get around it, by suggesting to the Turks if they stood firm in their situation, we would finally come to the exact moment we are at today, namely, the embargo would come off, because this administration would fight to remove it, in spite of the fact there has not been any progress on Cyprus.

The other historical situations cited have no bearing on the Cyprus case today. We are talking about an area where 40 percent of the land is occupied. We have some 200,000 refugees. Turkey moved on Cyprus not once, but twice, using our arms in violation of written,

signed agreements with our country. Now we are being asked to set our laws aside today, because this administration does not have the strength or the will to lay it on the line to Turkey, and say there has to be progress on Cyprus coincident with the resumption of U.S. arms shipments.

We are being asked today to break our own laws and I think that is wrong. If by lifting this embargo today, we say to the rest of the world, which is watching closely, "Look, you do not have to stick with the agreements you made with us. If you want to take our arms and use them against another ally the next day, you are free to do so."

If we say that, and that is what we would be saying, the rest of the world is not going to miss that message. If we want more Cyprus-type problems, that is the way to make more of them happen by ending this embargo at this time. I am willing to consider an end to the embargo, if, at the same time, we get some progress on the Cyprus question, but not a minute before.

There is absolutely no excuse, none whatsoever, to use the argument of political instability in Turkey to say there cannot be discussions right now on Cyprus. There have to be.

Mr. DERWINSKI. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut (Mr. McKINNEY).

(Mr. McKINNEY asked and was given permission to revise and extend his remarks.)

Mr. McKINNEY. Mr. Chairman, it is extremely difficult, I think, for a Congressman who is pledged to the national security and the strength of his Nation to stand up and have to take a course which means that perhaps this Nation could be made a little weaker within a specific area of the world. I do not think, as one of our earlier speakers said, that I have ever wrestled with a problem as long as I have wrestled with the emotional arguments on both sides of this issue. But, it seems to me that one of our problems is that we have come down to emotion, and forgotten that we are a nation of laws.

Finally, I had to ask myself, why did I run for Congress and why did I come here? When I get back to the base fact, it was because I was committed to stopping what I thought to be an immoral, illegal, and incorrect war in Southeast Asia. Now, I am confronted with another basic issue of American foreign policy. On the one hand, quite rightfully, the President says that we may lose our Turkish bases if we do not remove the embargo; but on the other hand, I have to remember that on January 14 of this year, I stood in this room and once more reaffirmed my oath to the Constitution of this country and to my best judgment as to how I saw it.

The Military Sales Act, the Foreign Assistance Act, both prohibit the sale, delivery, or contract of arms sale to any nation that uses them to attack another sovereign nation.

In response to this point, I have had the argument of Israel thrown at me.

However, I would suggest that the Members of the House read the state-

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ments of the Israel Government which clearly stated that should Lebanon make its borders safe and stop harboring the PLO, that Israel would have no need to attack them, and that in attacking them, they were not attacking the nation of Lebanon; and, in fact, had no argument or aggressive intent toward its Government.

Certainly, I would admit that there is a gray area there, but there is no gray area in this issue. The Turks are blackmailing the U.S. Government into violating the very laws that this House and the Senate of the United States passed, and should we move to allow this one instance to pass to expediency it will become instead the accepted method of violating our laws and forcing our hand, a precedent we can ill afford.

We have sold, according to my figures, almost \$11 billion worth of arms to foreign nations. The potential for blackmail, the potential for misuse, the potential for other Cyprus, appalls me. Do we feel as a Nation that these people buy arms to polish these arms and parade them around on their national holidays? No, we are giving them a potential for blackmail; giving them a potential for war. We are, in fact, giving them the weapons with which to kill.

The people of my district, as I believe I represent them, are tired of it. They are tired of our involvement. They are tired of our arms sales and they are doubly tired of the United States being blackmailed, particularly by a nation which as we will be discussing in 3 or 4 months, the fact that their opium crop is coming into my district and into my neighboring city of New York and destroying American kids by the thousands. It seems to me that to use an argument that the stability of the Turkish Government depends on our action is to admit that we are putting our eggs in a basket that is unstable; that we are saying by our very excuse that we are going to give arms to a nation that does not have a stable government.

I do not think that I will ever have cast a more difficult vote in this particular term than this one, but I will not condone. No. 1, the blackmailing of the United States of America. I will not condone knowingly the use of our weapons in the attack on another sovereign nation. In the debate I have listened to today, everyone seems to forget that Cyprus is a sovereign nation.

Are we to admit that an Irishman in the United States or a Greek or an Italian or Hungarian, is still Hungarian and not an American. A Turk in Cyprus is a Cypriot, or else he would be back in Turkey.

I know that the Greeks transgressed in the very beginning, but in the form of a coup that we have seen time and time and time again in this world. So let us remember that the second attack of the Turks was an attack of outright force against a sovereign nation and must be condemned by this House.

Last but not least, I shudder to think of the future of my five children in a world where American arms, American bullets, can be used in any manner chosen by any nation, without our concern and in fact our immediate action.

Mr. MORGAN. Mr. Chairman, I yield myself 1 additional minute.

(Mr. MORGAN asked and was given permission to revise and extend his remarks.)

Mr. MORGAN. Mr. Chairman, I just want to say I think the gentleman today has made a very conscientious speech, but if he is going to apply the law to all countries, it should be applied evenly. The gentleman admitted that Greece transgressed and we did not cut off our aid. In July 1974, Greece had 1,650 troops in Cyprus, 700 of them illegally. After the coup, that number was increased. When they finally left, there was not any question of the presence of American arms all over Cyprus. Yet Greece has furnished \$16 million worth of arms in the United States in fiscal 1975 and \$619 million in the pipeline. The embargo does not apply to Greece—only to Turkey.

If we are going to apply our agreements, let us apply them evenly.

Mr. BUCHANAN. Mr. Chairman, I yield myself 5 minutes.

(Mr. BUCHANAN asked and was given permission to revise and extend his remarks.)

Mr. BUCHANAN. Mr. Chairman, I have listened attentively to the debate thus far. I am reminded of a conversation between an elderly British clergyman and a young firebrand of his acquaintance. The younger man had just made a strong point, very heatedly stated, and the clergyman responded, "I am not certain I understand your point of view, but if I understand it I am not certain I agree with it."

The young man replied, "But I have clearly stated the pure and simple truth," to which the clergyman responded, "Young man, the truth is never pure, and seldom simple."

As the chairman of this committee has just illustrated, we are not here dealing with a clear situation where there is a guilty party which must be further punished, having violated our law, and uniquely so, and no more guilt involved in this or other similar situations on the part of other parties.

As the gentleman from New York (Mr. SOLARZ) earlier indicated, there could be a veritable laundry list established of similar uses of American arms in military conflicts in possible and probable violation of our law.

But let us examine this situation, let us review the history here in the Cyprus tragedy. Many of us for years were concerned about the need for restoration of democracy and the rights of the people in Greece. From the time the colonels and pro-Western generals, and took over the government of that country, doing away with parliamentary government, suspending the civil liberties of the people, many of us were concerned about the restoration of human rights and democracy in the world's cradle of democracy.

May I submit that some of the guilt in this present tragic situation in Cyprus must rest at the door of the instigators of the whole crisis, the Greek military junta which fought to overthrow the lawful government of Cyprus and did

succeed with the military action of the mainland Greek National Guard, together with pro-enosis Greek Cypriot factions, in overthrowing the legitimate government and placing their man, Nikos Sampson, as President, in place of Archbishop Makarios.

This was an event which upset the treaty arrangement and which created the crisis in which the Turks under the 1960 enforcement treaty felt they had a right and an obligation to move their forces in. This was the inception of the crisis. The man who was installed to head the new regime was a man feared by the Turkish minority. This had to be a part of the reason for the Turkish reaction.

We may feel, and we do feel, that reaction was extreme and unwarranted, and yet, from the Turkish view, the Turks maintain that rather than acting illegally, they have sought to protect the Turkish minority group on that island, to take action toward the restoration of lawful government on the island of Cyprus and to protect and fulfill their treaty rights and obligations.

I simply say these things to point out the fact that this is not a clear and simple case of guilt. What is clear is that the national security interests of the United States will be well served by the passage of this legislation.

This is not a radical reversal of policy. This is a mild and moderate modification of our position after 6 months of punishment and after the application of our law. This is simply saying that we are not going to give anyone anything, but we are going to release to Turkey material, much of which they have already paid for and all of which is under firm contract and will be carried out as cash sales.

This is a modest reappraisal of our position. What it can do is this: It can protect our national security interests, our legitimate interests in our own national security; it can protect the NATO Alliance from further dissolution; and it can bring about, I believe, a movement on Cyprus and between Turkey and Greece, which would clearly benefit the democratic government in Greece, and ultimately serve to protect the rights of the people of Cyprus as well as the national interests of the United States.

Mr. Chairman, I believe this is reason enough to make this modest reappraisal, and I urge the passage of S. 846, as amended.

Mr. FASCELL. Mr. Chairman, I yield 3 minutes to the distinguished chairman of the Committee on Rules, the gentleman from Indiana (Mr. MADDEN).

(Mr. MADDEN asked and was given permission to revise and extend his remarks.)

Mr. MADDEN. Mr. Chairman, yesterday, the Rules Committee held hearings most of the day with various witnesses testifying pro and con on this pending Turkish aid legislation. This bill would permit the President to postpone the embargo to the Government of Turkey on articles contracted for under the Foreign Military Sales Act on or before February 5, 1975. It could release for shipment \$184.9 million in defense articles to Turkey under this authority, also issue

licenses for the transportation to the Government of Turkey arms, ammunition, and implements of war, thus removing the ban on the shipment of defense articles purchased by Turkey through commercial channels in the United States. This authorization would be effective only while Turkey observes the cease-fire in Cyprus and neither increases its forces on Cyprus nor transfers to Cyprus any U.S.-supplied implements of war.

Last year, in 1974, the Foreign Assistance Act contained a provision which passed the House 297 to 98 and by voice vote in the Senate requiring the President to suspend all military assistance; sales of defense articles, arms, ammunition, and other implements of war to Turkey.

Our Government maintained this embargo on furnishing such military aid to the Turks and the present legislation now being considered is to waive the embargo provision with certain provisions and continue giving limited amounts of military aid and assistance to the Government of Turkey.

During the recent 4th of July recess, when visiting my congressional district, I attended a picnic gathering of constituents made up mostly of Americans of Greek descent and a great number of other ethnic groups, approximately 5,000 to 6,000 citizens of the Calumet Region in Indiana. The consensus of that gathering was almost unanimous in opposition to any further aid or consideration to the Turkish nation, primarily due to its complete disregard to keep its agreement on international problems made not only with our Nation but with neighboring nations in the Middle East.

Our Secretary of State, Dr. Kissinger's proposal to lift the American ban on further arms to Turkey did not meet with any endorsement of the folks which I contacted when I was home in the First District of Indiana.

I believe that our country and our NATO partners must stand against aggression, whether by friend or foe. To do otherwise would be a renunciation of a fundamental principle of our foreign policy—to oppose aggression, not aid or acquiesce in it. I must condemn the continued acts of Turkish aggression against Cyprus and its people. It is unconscionable that the Government of the United States should surrender to the threat of Turkey to close our bases there. This is capitulation to blackmail and unworthy of our country.

The Congress has been thoroughly lobbied by the State Department during recent weeks advocating the lifting of the American ban on further aid to the Turkish Government.

But to pit one country against another in this way is as dangerously inflammable and divisive in foreign policy as it is in the Halls of Congress. However, if a choice is to be forced between our military installations in Turkey and the continuation of the support of U.S. installations by a democratic government in Greece, then in my judgment, the Congress should cast a vote for Greece, and against the Kissinger amendment to lift the ban on U.S. arms to Turkey.

In my opinion, existing and potential military bases in Greece aid for the Greek people in Cyprus are more important to us than our installations in Turkey.

As the harvest of opium poppies begins this week in Turkey, all Americans should remember that Turkey unilaterally rescinded the ban on the growing of opium poppies for which U.S. Government agreed in return to pay Turkey \$35 million over a 3-year period. U.S. taxpayers have already supplied \$15 million of this sum to Turkey.

The Turkish Government as usual to this day has totally ignored its agreement to terminate the growing of opium poppies and exports millions of that poisonous weed which is destroying the health and mentality of our American youth, as well as other citizens throughout the globe.

It was 1 year ago that the Turkey armies aggressively took over the island of Cyprus and today occupy about 40 percent of the most productive land on the neighboring island which had been under the control of Greece. Approximately 80 percent of Cyprus is populated by Greek people.

I do hope that the Congress defeats this unfortunate legislation calling for the lifting of the ban on American aid to Turkey.

Mr. DERWINSKI. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia (Mr. WHITEHURST).

(Mr. WHITEHURST asked and was given permission to revise and extend his remarks.)

Mr. WHITEHURST. Mr. Chairman, I rise in opposition to this legislation.

I have followed very carefully the record of events that have occurred on the Island of Cyprus for the past year. I have held my breath and hoped with all of my heart that the Turkish Government, certainly in the last 6 or 7 months, would show some spirit of moderation in its conduct, and I have hoped that that government, which has clearly behaved in an excessive way in an effort to protect the Turkish Cypriots, would show some spirit of accommodation, some spirit of compromise.

Mr. Chairman, I regret to say that the record has been the antithesis of that, and at this moment I see no indication on the part of the government in Ankara that it is willing to settle the problem of Cyprus on an equitable basis, one that would go some distance toward restoring the property and the rights of the Greek Cypriots.

I have a substantial number of Greek Americans and Cypriot Americans who live in my congressional district. As a matter of fact, my office has been involved with dozens of those people in an effort to bring their relatives out of Cyprus.

I have a very heart-rending situation right now, a 75-year-old woman, the mother of one of my constituents, who is in the Turkish zone. She has a visa. She can return to the United States. The Turkish authorities will not let her leave. Why? What do they want a 75-year-old woman for?

Mr. Chairman, how could I come here

today in this Chamber and cast a vote for this bill in the face of this conduct? No, I cannot do that.

I hope the moral position taken by this House months ago will be sustained this afternoon. If our position was a moral one 6 months ago, certainly it is not less than that at this time. I hope that our action and our firmness will act as a persuasive factor upon the Turkish Government to get on with the business of reaching a peaceful settlement on that island, working out an agreement that will restore peace, a peace that will have a basis that is lasting and meaningful.

Mr. Chairman, I am thankful for this opportunity to speak on this bill.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. WHITEHURST. Yes, I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, I would like to say that what really prompted this compromise by members of our committee was the feeling we have for, and the confidence that we have in, the President of the United States.

As the gentleman from Virginia knows, a few weeks ago President Ford did go to Brussels and met with the leaders of Turkey as well as Cyprus and Greece, and his conclusion was that the climate was favorable for negotiations.

Again, the committee that worked out this bill was deeply concerned about the very problems the gentleman from Virginia has just mentioned so eloquently, the 180,000-some refugees in Cyprus, and we are not satisfied with just keeping the status quo, we want some movement there. That is the reason we have tried to develop legislation that did not tilt in favor of either Turkey or Greece, but provided an even-handed approach.

If one wants to look at the amount of weapons and military equipment in the pipeline for Greece they will find that they have over \$600 million worth coming to them.

So I hope that when the Members consider this bill today that they will keep in mind that really the people who are pushing the compromise are people who are equally concerned about the problems and who want a settlement of those problems on Cyprus. That is what brought about this compromise.

Mr. WHITEHURST. I thank the gentleman.

Mr. FASCELL. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. KREBS).

(Mr. KREBS asked and was given permission to revise and extend his remarks.)

Mr. KREBS. Mr. Chairman, let me say that one of the more pleasant surprises that I have had in coming to the Congress has been quality of the Members of this body and listening to the debate today has certainly helped to again enforce my feelings in this regard.

I think this is a very close question regardless of which side of the issue one may be on. It is really in a sense a no win issue which each and every Member of this body must settle for himself, and there is no sense in kidding ourselves about that.

The gentleman from Alabama (Mr.

BUCHANAN) very articulately described the history of the Greek junta and I at least will be so brazen as to state that in the final analysis the whole difficulty in which we find ourselves was indeed created by that Greek junta.

It was exactly that same Greek junta that past Congresses, when some of us new Members were not around, were asked to support in the name of our national security.

It is in the same name of our national security that we are being asked now, as, unfortunately, past Congresses have been asked on many other issues previously, as the Members will know, to compromise on the very basic principles that made this country the great country that it is.

I cannot help but feel, Mr. Chairman, that unless we have a change in direction that we are going to find ourselves in the same position in relation to Jordan, if the President's wishes are granted in providing Jordan with \$350 million worth of the most sophisticated missiles. We will indeed find ourselves in the same position in Jordan when they will be moving those missiles to sites other than those designated pursuant to an agreement with that country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FASCELL. Mr. Chairman, I yield 1 additional minute to the gentleman from California.

Mr. KREBS. Mr. Chairman, as I say, we will find ourselves in exactly the same position of having to compromise basic principles if the Shah of Iran decides that it is in his best interest to move those billions of dollars' worth of weapons that we have given him to other parts of the Middle East. He will do so only on the basis of the decision that we may be making again in the name of compromise, and national security. Since we are all creatures of our own environment—all this cannot help but remind me, at least, as one Member of the House of some of the compromises we have already made and some of the succumbing to blackmail that we witnessed in the late 1930's. I submit to the Members that this type of compromise is not going to get us any farther than those who have engaged in similar types of compromises in the 1930's.

I thank the gentleman for yielding to me.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. RYAN).

(Mr. RYAN asked and was given permission to revise and extend his remarks.)

Mr. RYAN. Mr. Chairman, at this point in the debate we have established several things: First of all, that this is not a partisan issue. The second is that S. 846 is not an administration-initiated bill. This particular bill, this particular compromise began as an effort here in this House in the Committee on International Relations. We have established the fact that this is not an inconsequential vote. Finally, we have established the fact that all of the angels are not on one side.

I would like to zero in, if I can, on a particular matter raised, I think, by both

the gentleman from Ohio (Mr. WHALEN), and the gentleman from New York (Mr. SOLARZ) which has to do with the politics of the situation as it exists in Turkey today. Turkey is a parliamentary democracy. The pressures upon Turkist parliamentarians are the same as they are upon us as Representatives in this country. If there is an ethnic base to the debate on this bill in this country—and I believe there is—there is certainly an ethnic base to the nationalistic view of Turkish politicians who must please their own constituents.

I do not think any issue since I have been in the Congress has been more hotly argued at home or more heavily pressured here in Washington than this issue. I have received calls from my district from people for whom I have great respect and affection who are of Greek-American heritage. The man who took my place, as a matter of fact, in the State legislature is Greek, and I have heard from him regularly on this issue. One of the most distinguished members of that legislature for years is a State senator who called me to talk about it. I have had a call from a former mayor of San Francisco about this issue, who is of Greek heritage. This issue of great concern to Greek Americans, but I submit to the Members that the Greek Americans in this country cannot be as objective as they might be, I think, because of their heritage.

If I can draw a parallel, I think it would be not wise for this House to accept my own opinion regarding matters of Northern Ireland. I happen to have some strong opinions about what should be done there, but I do not believe in the best interests of the United States the Members should accept my advice on the matter because I tend to be prejudiced about that particular problem.

If we look at this matter objectively, there is only one question being raised here about this particular issue, as I see it. In February, this Congress passed the Rosenthal resolution against the Turkish nation as a kind of punishment for the invasion of Cyprus. We have heard the word "punishment" used on the floor here today. Reverse the situation. Imagine, if one will, this country's dependence upon some other country for its arms, and then having that other country punish us, and then having us as politicians go home and accept that humiliation easily and willingly before our own people and try to tell our own people that we have been punished by another nation and that we must accept another country's judgment. This arms embargo—this punishment is a matter, I believe, of honor for the Turkish nation and the Turkish people. I do not question the moralities here, because in fact both sides, I think, are guilty of the kinds of actions which could not stand the test of history or the test of severe examination of the law. The question here has to do, then, with whether or not it is in the interest of the United States to pursue a policy which will allow the Turkish politicians and the Turkish people to take some action on their own to relieve the present situation that is a stalemate in Cyprus.

The national interest in this country, it seems to me, is to resolve the Cyprus situation. The Turks have no particular reason for moving from their present position. They already dominate the situation and they can continue to dominate it because Greece cannot change that by force or parliamentary action or diplomatic action.

The United States took an action in response to the Turkish actions on Cyprus, and the result for the last 6 months has been a stalemate. A stalemate in a situation like this is dangerous for this country. In order to move this matter off center, this bill then is offered as a partial solution.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Chairman, I think our colleague, the gentleman from Virginia (Mr. WHITEHURST), has done us a favor in focusing our attention on the plight of one little old woman on the island of Cyprus, a 75-year-old woman who has a visa to come to the United States but is being denied that opportunity by the Turkish authorities on Cyprus. The question we ought to consider here today is the effect of our action today on the multitudes of individual human problems like that confronting that little 75-year-old woman.

If we reject this resolution, can anyone in his wildest imagination believe the prospect for that little old woman getting off Cyprus and coming to the United States will be enhanced? Exactly the opposite will occur. Her prospects for getting to the United States will be diminished.

It seems to me we ought to think about this issue that is before us today in those very human terms. What will help these poor helpless individuals the most? Approving the resolution or rejecting it?

A step like that proposed in this resolution which will renew some leverage on the part of our Government would enable us to have some influence, which is today totally lacking, upon the policies of the Turkish Government.

So I hope as we reflect upon the question that will soon come before us we will think of those very human terms suggested by the gentleman from Virginia. When we do that I feel sure we will come up with an affirmative vote and approve this resolution.

Mr. FASCELL. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maryland (Mrs. SPELLMAN).

(Mrs. SPELLMAN asked and was given permission to revise and extend her remarks.)

Mrs. SPELLMAN. Mr. Chairman, I am concerned—I am frightened. I am frightened that this country might be on the brink of setting a dangerous precedent. A vote for this bill would be capitulating to another nation's demands—demands which amount to blackmail. To resume shipment of arms to Turkey would be a betrayal of our own moral values. To continue to give military aid to Turkey would be a blatant repudiation of our own laws.

The fact remains that Turkish use of American arms in the invasion of Cy-



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prus violated the very agreement by which the Turks obtained those arms. If the House goes along with the Senate in backing down now, we can never again expect that provisions of law will be binding on any recipient of American arms. We would also be saying to the President that we dare not limit his authority in international affairs.

We must also consider the refugees, many little old women—men, women, and children.

There are 200,000 people who will remain homeless as long as this country continues to condone the actions of the country which has displaced them. There will never be a settlement of the Cypriot situation as long as we provide the means for the Turks to continue their pursuit of conquest.

It is time for this country to stop being blackmailed. It is time for us to give an ultimatum to the Turks and to all the nations which might seek to manipulate us in the same way. It is time to say that we cannot support military aggression by either friend or foe.

I have been involved in politics long enough to know that there is often a need for compromise. But this is not compromise. Compromise means conciliation—not capitulation.

Mr. BROOMFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota (Mr. FRENZEL).

(Mr. FRENZEL asked and was given permission to revise and extend his remarks.)

Mr. FRENZEL. Mr. Chairman, in February, I, along with a solid majority of this House, supported the imposition of the arms embargo to Turkey. The embargo vote was an important statement of American disapproval of what we considered then, and still do, an unwarranted, aggressive action on the part of Turkey. The embargo was a necessary and proper action to express the will of this Congress. I do not regret my vote, nor that of the Congress.

However, our primary interest—and we should never lose sight of this priority—is to end the terrible suffering of the Cypriot people who have been removed from their homes, families, businesses, and farms; to secure the removal of Turkish military forces, and to provide for self-determination by the people of Cyprus.

The embargo, still an important symbolic statement, has been with us for 5 months. Whatever else it has accomplished, it has done nothing to achieve our priority goals. The United States cannot tolerate a stalemate in the quest for those goals, and for a settlement on Cyprus. However important the embargo has been in other respects, it has not changed the stalemate situation, and indeed has undoubtedly extended the stalemate.

The Turkish Government has refused to enter into serious negotiations until there is some sign from our Government that it is willing to lift the embargo, however slightly. I believe that the situation demands American involvement as an honest broker for settlement—a role we have fulfilled elsewhere in the Middle

East. I believe that until we are involved in the settlement, there will be no settlement. Until there is a settlement or progress toward a settlement, the suffering of the Cypriot people can only be exacerbated.

There is some reason to believe that the Turkish Government is willing to negotiate if there are signs from the United States that we are willing to resume some limited shipments. Many of us have heard personally from the Secretary of State, the President and other officials of the administration on this subject. We have no guarantee of progress, but we have no other alternative course that even gives us a chance for progress.

Additionally, the Turkish Government has already consented to allow the International Court of Justice to adjudicate oil rights with Greece over recently discovered fields in the Aegean Sea.

The International Relations Committee, which has structured the compromise which is now before us, has given us the additional assurance that it will report legislation to reimpose the embargo if significant progress is not made. We have assurances from the administration that it will not oppose such an effort in the absence of progress.

I am sure that we will have some honest disagreements over a definition of substantial or significant progress, but I think the intent of Congress is clear if we pass this bill today.

The reason that I support this bill, H.R. 8454, is that it seems to me that it offers the only chance for movement toward the goal of the alleviation of the suffering of the people of Cyprus.

In February I wrote some of the House Members who had exercised important leadership in the vote to impose the embargo. I asked what strategy was now being employed to settle the situation on Cyprus. The letter was not answered formally, but informal discussions revealed that there was no viable alternative policy. Those who wish to have the embargo extended have given us no alternative policy which might lead to hope for settlement, or for reduction in the suffering on Cyprus.

Therefore, if there is a moral issue involved in this debate, I think it relates to our responsibility to help find a solution to the Cypriot problem. Continuation of the embargo offers no chance for a solution. Continuation of the embargo means continuation of stalemate, continuation of Cypriot suffering. This slight easing of the arms embargo offers some chance for progress. I cannot personally pass up the opportunity to grasp that chance, however minimal it may be, especially when it is buttressed by a guarantee that the embargo will be resumed if there is no progress.

I support S. 846, because I strongly believe that the limited resumption of arms sales to Turkey is our only opportunity to begin progress in restoring their homes, vocations, and dignity to displaced and distressed Cypriots. I urge my colleagues to give first consideration to the plight of the people of Cyprus. I believe the humanitarian aspects of this situation tip the balance in favor of the com-

mittee's compromise. I hope that the bill will be passed.

Mr. FASCELL. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Rhode Island (Mr. BEARD).

(Mr. BEARD of Rhode Island asked and was given permission to revise and extend his remarks.)

Mr. BEARD of Rhode Island. Mr. Chairman, 3 weeks ago I experienced really what was the experience of my lifetime. I spent 2 days on Cyprus. During those 2 days on Cyprus I had a chance to talk to many refugees. They told me some horrible stories about poppies being grown in the areas presently occupied by the Turks.

They also mentioned the abuse of churches, because that country does not recognize its obligations on Cyprus to Christians and those under the Christian faith. They do not recognize human dignity.

I spoke to a man 107 years old who had his face kicked in.

Mr. Chairman, I am not a Greek and I am not a Turk. I am a plain American citizen from Rhode Island.

Mr. Chairman, I call this machinegun diplomacy. I requested 1 hour to be able to go to the Turkish side of the border to see what they claim was their side of the story and after presenting my credentials of the House of Representatives and my passport, I was turned away at gunpoint by the Turkish soldiers.

Let us face really what has happened here. This is not more than blackmail—blackmail, that is all it is. Why?

They are telling us, "If you do not give us the arms, then get out of Turkey." Well, we should not give in to blackmail. If we do and they blackmail us out of the Turkish incident, every country where we have a base will raise the stakes pretty high, and if we keep giving in, we will be worse off.

Let us think about those reservations and think about indicating to other countries that we do not get into blackmail. When the Russians came over here under Khrushchev, President John F. Kennedy told them to go back. I am telling the Members right now that, yes, we need the bases and they are imported, but the world is not going to come to an end for the United States if we are told to get out of Turkey. We may end up losing Greece, and she is also an ally of ours.

Mr. DERWINSKI. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina (Mr. MARTIN).

(Mr. MARTIN asked and was given permission to revise and extend his remarks.)

Mr. MARTIN. Mr. Chairman, as I walked down the center aisle into the well of the House just then, I felt that it was somewhat symbolic for me on this issue. I also felt that it was somewhat symbolic once I got down into the well and found that it was necessary to turn one way or the other in order to be able to address the House, because that symbolizes the difficulty I—as apparently many others in the Chamber—have had in trying to reach a position to take on this particular bill.

As I listened to others speak, I was glad to realize that I am not the only

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one that has a great deal of difficulty in trying to balance this very complicated issue, this very serious issue. I have tried to solve the riddle and have tried to find the correct way out of the maze. As with many Members, I have talked with representatives of the State Department, the administration, members of the Committee on International Relations which has presented this bill, with representatives of the Justice Party of Turkey, as well as with advocates on the other side of the issue here in Congress and, yes, with partisan constituents of Greek ancestry in my own district. Of course, they certainly have just as much right, just as legitimate a stance to take in this matter as anyone else I have talked with.

Mr. Chairman, I have sought to find a different, a more timely, more acceptable compromise, something with a quid pro quo: something that would give us something definite in return, with some assurances built in that the Turkish Government would have to respond positively in order for us to restore these weapons that are at issue. Regrettably to me, without exception everyone that I talked to felt—and this included advocates on all sides of the issue—that they had to reject such preconditions because that would amount to dictating terms to the Government of Turkey and they might object to that pressure.

So, there is no way to work in that direction. I am aware—and this has been pointed out here—that there was a provocation by the military junta which formerly ruled Greece, but I am also aware that that thorn has been removed. Likewise, I am aware that the Government of Turkey has changed, and it seems to me very tragic that these two more moderate governments have not been able to approach each other and come to terms and resolve the issues on Cyprus.

I am told that the present Government of Turkey is under intense pressure at home from the opposition party, and yet if the present Government of Turkey is unable to parry that rivalry of the opposite political party by moving into negotiations now as a means of restoring armaments and normalcy, if they cannot begin to solve the Cyprus dispute as a part of a combination in which they would gain an advantage in return by receiving these arms shipments, then how can they possibly, Mr. Chairman, make concessions thereafter when they will then already have their weapons in hand? How would their political rivals accept a subsequent moderation of the Turkish gains with no consequent benefit, if they cannot now support such moderation tied to direct benefits?

If the Turkish Government objects to our stating terms to them, terms which they would regard as an offensive ultimatum, then would it not be more appropriate for them to initiate the stating of such terms and say to us what they would be prepared to do, and give us a reason and a confidence for modifying our stance of a few months ago?

So the situation is this:

First, of our having insisted that weap-

ons shipments to Turkey be suspended because of violation of limitations that we have placed on the use of such arms;

Second, of having assured Turkey that under our law, weapons must be withheld until Turkey makes some good faith efforts to negotiate a solution to Cyprus; and

Third, of having witnessed no such progress on Cyprus.

It is in this context that we are now asked to ship the \$185 million worth of weapons anyway and are asked to forget these three circumstances I have just listed and hope for the best.

I cannot accept that and, therefore, Mr. Chairman, I must oppose such a resolution until some public assurances are obtained and given by the Turkish Government as to what their response will be.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman.

Mr. BROOMFIELD. I thank the gentleman for yielding. My understanding, based upon information from the Department of State, is that originally there were some 40,000 Turkish troops on Cyprus. There was an initial reduction of 5,000. I have been informed by the Department that there has since been a gradual reduction, and today they are estimating that only 30,000 Turkish troops remain on Cyprus—a reduction of 10,000 troops.

Mr. MARTIN. Mr. Chairman, I would say to the gentleman that I appreciate very much his bringing this to our attention.

Mr. MORGAN. Mr. Chairman, I yield 7 minutes to the gentleman from Wisconsin (Mr. ZABLOCKI).

(Mr. ZABLOCKI asked and was given permission to revise and extend his remarks.)

Mr. ZABLOCKI. Mr. Chairman, my colleagues, I think we have to look at this compromise—and it is a compromise—as a solution that we cannot afford to turn down.

Mr. Chairman, if we review the history—and I shall not take the time, because I could not do it in 5 minutes—however, the chronology that is contained in the committee report will clearly indicate what a difficult situation has existed for centuries over Cyprus between Greece and Turkey and which is the burning issue of today.

We have an embargo that is almost in its 6th month, and it has not worked. It is quite clear that if we are going to do something in the interest of Greece, and primarily in the interest of our own country, we must find some way and means for negotiations to meaningfully take place over the issue in that area.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield at that point?

Mr. ZABLOCKI. I will yield briefly for a question.

Mr. ROUSSELOT. I thank the gentleman for yielding. Is it not true, that one of the reasons that we have had some problem with this embargo being ineffective is that some members of our Department of State and our Secretary of

State have said to the Turkish Government, "We will help turn Congress around, so do not worry about it"?

Mr. ZABLOCKI. My answer to the gentleman is, as I understand it, there were no such indications on the part of our administration after February 5. There may have been the latter part of last year, when we were discussing the possibility of an embargo.

Mr. ROUSSELOT. If the gentleman will yield further. We all understand that there was a great deal of such conversation by our State Department prior to February 5, but what about after the embargo was imposed by Congress?

Mr. ZABLOCKI. But let me point out that it is not my administration; it is the gentleman's administration. But they did not violate the law. They abided by the law that the Congress passed, despite the difficulties involved.

Mr. Chairman, realizing the negotiations were dead center, our good chairman had asked a few of us on the Committee on International Relations, over the Fourth of July recess, to work on some language which would be a compromise between those who wanted to remove the embargo unconditionally and those who did not want to lift any part of the ban.

The gentleman from Michigan (Mr. BROOMFIELD), the gentleman from Indiana (Mr. HAMILTON) and, yes, my good friend, the gentleman from Florida (Mr. FASCELL) have contributed much of the language that is in here. That is why I cannot understand why the gentleman from Florida is now on the other side.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. Since I mentioned the gentleman's name, I must yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, I will be very happy to explain to the gentleman why I am on the other side. It is because I disagree completely with the thrust of the bill.

Mr. ZABLOCKI. Mr. Chairman, I might say to the gentleman that he expressed disagreement before we had hardly dotted an "i" or crossed a "t" in the language he suggested as a compromise.

Over the Fourth of July recess we worked on a compromise. There had been movement toward solution of the Cyprus problem. Should we let the status quo continue and the situation on Cyprus between Turkey and Greece deteriorate?

The other alternative would be to go the route that was cast in the other body, albeit by one vote, and that would give the President, the administration of the gentleman from California (Mr. ROUSSELOT), the entire suspension of the embargo, of the grants, the sales, and the commercial sales—you name it—to Turkey. We decided we were going to take an evenhanded approach and, therefore, we worked on this compromise which has been explained by the chairman of the committee. The provisions were also explained adequately by the members of the Committee on International Relations on the Republican side, so I shall not repeat them.

But I do wish to make several brief points about the legislation which is before us today:

It is a compromise proposal.

It is not a compromise to help Turkey. It is not a compromise to hurt Greece.

It is legislation designed to bring an even-handed policy to that area, to help get negotiations off dead center, and ultimately to bring peace and to promote our national security interests.

We have three alternatives.

First, we can do nothing. That would perpetuate the present unsatisfactory status quo.

Second, we could lift the embargo completely. That course would be unacceptable to many here for valid reasons.

Our third choice is this compromise. It is a good choice and I urge that it be the choice of the House this afternoon.

I recall that one of the Members who spoke here has expressed concern for the refugees. I think this is a very burning issue. Are we going to sit in this air-conditioned Chamber and not be concerned about the 180,000 to 200,000 refugees many of whom are living in tents? If we vote against this compromise, we may condemn them to a life of deprivation for many months ahead. How in conscience can we do that? We must be concerned about the refugees.

Mr. Chairman, we must act confidently and resolutely on this matter. I shall in my extension of remarks include other reasons for that, but I just want to leave the Members with one last thought.

Let me assure the Members that I fully realize and recognize the domestic political concerns of my colleagues. I have gone all through this. I have received telegrams; I have received letters.

I met with my Greek-American constituents, and I had, I might say, a heated discussion which lasted an hour and a half. I did not convince them, but I want to share with the Members something that made me feel good. This is something that reaffirms our faith in our Greek-American people, because I know they are patriotic citizens.

I want to share with the Members a memo that I received from one of those, a constituent named Paul Anton. There were others, I understand, who supported him in this.

Mr. Chairman, this memo reads as follows:

DEAR CONGRESSMAN: Even though we, the Greeks in Milwaukee, feel bitter for your last decision to aid the Turks we must say you are 10 feet tall—and being 5 feet 3½ inches, I feel that is a good compliment—10 feet tall by being frank about the matter and by coming to our picnic.

Personally, I am sorry I did not recognize your responsibility to our America first and did not give you the proper welcome.

We the Greeks love you and you have our support.

Mr. Chairman, if the Members are concerned about their Greek-American constituents, I suggest they send them the report of our committee, and if they will look on page 9 and if they will read the hearings that we have conducted, they will learn that there cannot be concessions before negotiations; they will learn

that it is indeed in the national security interest to have this compromise, and they will applaud the Members for voting for the compromise.

Mr. BROOMFIELD. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. LAGOMARSINO).

(Mr. LAGOMARSINO asked and was given permission to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Chairman, I rise in support of S. 846.

This is a difficult issue for me. I have many Greek constituents, many Greek supporters and friends.

When I voted to impose the arms embargo on Turkey last year, I did so out of a desire to break the deadlock on Cyprus. Since that time I have visited the NATO countries, and talked with a number of people about the situation in the eastern Mediterranean. My discussions convinced me that the boycott should be partially lifted. The fact is the embargo has not worked, and has only served to harden the situation. The 180,000 refugees live in as much misery and squalor as they did before we imposed the embargo. Meanwhile, American interests are in jeopardy.

I am convinced that nothing will be achieved as long as the embargo continues. The Turks have said that the embargo must be lifted for them to be able to negotiate seriously. The domestic political situation in Turkey is very sensitive. The Turkish Government feels it will be in jeopardy if it appears to be yielding to external pressure. Thus, the lifting of the embargo is necessary for serious negotiations on Cyprus.

Lifting the embargo under the very limited conditions of S. 846 will give American diplomats a stronger hand in this sensitive part of the world. The Turkish Government has threatened to close the American bases in Turkey if the boycott continues. If the bases are closed, American influence will be reduced still further. It is in the interests of the Cypriot refugees that we retain a strong voice. Also, with the resumption of opium poppy growing in Turkey, the stakes have become too high for us to risk losing our influence in Asia Minor. If we do, the results could well be disastrous.

NATO has been weakened by the embargo. Turkey has one of the largest standing armies in the alliance but is becoming unable to equip them properly. According to the provisions of the bill before us, the arms we can sell Turkey are those needed to fulfill her NATO commitments. If Turkey does not receive this equipment, her ability to fulfill her NATO obligations will be severely limited.

The bases in Turkey are vital to American and NATO security, and the intelligence bases are invaluable and irreplaceable. We cannot afford to lose them over an embargo that has not even achieved its purpose.

Recent events in Portugal have contributed to the weakening of NATO and of America's European posture. Further losses in NATO's southern tier would have dire consequences in the near future.

My primary concern is that the nego-

tiations produce a meaningful settlement to end the misery of the refugees. I also wish to enable both Greece and Turkey to fulfill their roles as NATO allies. The embargo has not moved anyone toward the negotiating table, and is only hardening attitudes. According to this bill, further arms sales to Turkey depend upon passage of new foreign aid legislation for fiscal year 1975. This will give us time to see if Turkey takes appropriate action toward achieving a solution of the Cyprus problem. I believe that the passage of this bill is necessary if we are to break the stalemate on Cyprus and preserve the strength of our NATO alliance.

Mr. Chairman, I urge a favorable vote on the bill.

Mr. FASCELL. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Illinois (Mr. Russo).

(Mr. RUSSO asked and was given permission to revise and extend his remarks.)

Mr. RUSSO. Mr. Chairman, I rise in total disagreement with resuming any type of aid, military or otherwise, to Turkey until it removes its troops from the Republic of Cyprus. I stand here today to remind the Congress of its duty to oversee that the executive branch faithfully execute the Constitution and laws of the United States.

We have been told by the bill's supporters that this is a compromise measure. That may be true, but I think that this amounts to a misuse of the word "compromise." If we take the action requested under this bill, it will be a compromise of the principles upon which this Government was founded. To revise somewhat Pinckney's famous observation: "This, would be millions for tribute with no assurance of defense."

If we give in today, gentlemen, I fear it would set a precedent which all of us would dread in the years to come. Every effort to reassert our position as a co-equal branch of Government within these past 2 years would have been made in vain. This bill represents more than merely a foreign aid authorization proposal, it represents a challenge from the President and his Secretary of State.

If you read the law which the Congress passed and the President signed last December, you will note a two-prong test for resumption of aid. First, Turkey must comply with the Foreign Assistance Act and pull out its forces from Cyprus; and second, the Cypriots must have made substantial progress toward resolving their differences. Have either of these conditions been fulfilled? No.

What has changed? Have the Turks shown any good faith? No, as a matter of fact they have shown nothing but contempt for the United States. Immediately after discontinuing payment to the Turks so that they would not cultivate the poppy plant, they began growing it again despite our request that they not do so. Reports from Cyprus indicate that the Turks have begun growing poppies on that island. What type of good faith is this?

Turkey does not intend to vacate Cyprus for quite some time. In addition to cultivating dope fields, the Turks are



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transporting Turkish citizens from the mainland to the island. Later the new population figures of 40 percent Turks—60 percent Greeks will be used as justification for the Turkish Cypriots asserting control to 40 percent of Cyprus; the most valuable 40 percent I might add. It is on this 40 percent that the island's major cities and a substantial portion of its revenue producing industries are located.

Along with its people, the Turks have transported their customs to Cyprus. The Turkish portion of the island now functions according to Turkish mainland time instead of the old Cyprus standard. Churches, formerly Greek Orthodox, were converted into Moslem mosques. For the life of me, I cannot see why we should give into the Turk's demands.

However, something has changed. Since February when the arms embargo became effective, Turkey has threatened to close all of our military installations within it unless we resume military assistance. In short, a blackmail threat. Ransom to which President Ford and Secretary of State Kissinger are willing to pay. After the first installment will we continue to pay? Once we make the first payment it will become easier and easier to make the second, the third and every one after that. Stop now before it is too late.

What if Turkey does go through with its threat and closes all of our bases? Our military experts agree, and even Secretary Kissinger has stated that Turkey needs our help more than we need our Turkish bases. Gen. James Van Fleet has repeatedly indicated that our Greek naval bases are vastly more important for control of the Mediterranean Sea than our Turkish bases. Without Greece we could not protect Turkey; but without Turkey we could still protect the rest of the Mediterranean countries.

Recently the President accused Congress of interfering in international affairs, a domain he believes is reserved exclusively for the Chief Executive. President Ford is correct that the Chief Executive is our exclusive negotiator in foreign affairs, but we are discussing an authorization bill today.

Today the Congress is acting in a field reserved exclusively by the Constitution for us, appropriations. If this appropriations process involves international relations, Congress, and Congress alone, has jurisdiction. Study the history of the Constitution and you will discover why the Congress was vested exclusively with the power of the purse. The Founding Fathers wanted to keep the President from exercising complete control over foreign affairs in the manner of the kings and emperors of their day. This device represents the heart of our check on the President's power today, the Congress will revert to its yes-man status of the Vietnam war days.

Congress has for the last year shown good faith in the execution of our laws. It is the President, sworn to uphold and faithfully execute the law, who has floundered around and evaded faithful execution. Are we now to join him in disregarding our own laws? I think not. Imagine the reaction of our other al-

lies were we to follow the course set by our leader. They would rightly assume that the United States does not consider itself bound by its international agreements, and that we are supporters of aggression by large nations against smaller countries. As it is, many of our allies openly questioned our willingness to stand by our agreements after the Southeast Asian debacle. I can see their reaction if we support aggression and disregard our own bilateral agreement now.

I hope that you fully realize all of the ramifications of the actions which we are taking here today and vote against resumption of military arms shipments to Turkey.

Mr. FASCELL. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. HOLTZMAN).

(Mr. HOLTZMAN asked and was given permission to revise and extend her remarks.)

Ms. HOLTZMAN. Mr. Chairman, I rise in very strong opposition to this resolution that would lift the embargo on arms sales to Turkey.

I think it is important to remember that before the congressionally enacted arms embargo went into effect last February, 5 months passed in which the Secretary of State was unable to get concessions from Turkey on the Cyprus matter. Neither have we had any progress since the embargo has been in existence. My question is, Has the Secretary of State negotiated in good faith on this issue? I do not believe so.

This measure ought to be defeated because the Congress needs to stiffen the resolve of the Secretary of State.

It was only a few months ago in justifying the *Mayaguez* incident that the Secretary of State said, "No one is going to push us around."

Yet, when Mr. Solzhenitsyn came to this country, the Secretary of State got so nervous that he advised the President not to meet with him.

Now Turkey is rattling a few sabers, and the Secretary of State is getting so nervous that he is asking us to abandon our laws.

I think it is important to send a very strong message to the White House and to our Secretary of State saying that we will not be blackmailed and that we in Congress are going to insist on certain principles in our foreign policy. That is what is at issue here.

I think if we fail to hold firm, if we tell the Secretary of State, "Yes, you can cause us to abandon the rule of law; you can cause us to abandon our statutes on grounds of expediency," then I think we are going to find the next victim will be the Jackson-Vanik amendment, and then we will find next Israel, our closest friend in the Middle East, is in real trouble.

So, Mr. Chairman, I believe we have to send a very strong message downtown to the administration.

I would therefore urge defeat of this measure.

Mr. FASCELL. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. BENNETT).

(Mr. BENNETT asked and was given

permission to revise and extend his remarks.)

Mr. BENNETT. Mr. Chairman, I oppose this legislation because it repudiates the sound position which Congress has taken that we should not aid, by our arms arrangement with other countries, any act of aggression against a third country.

It is my understanding that if this bill passes arms ordered by Turkey before the embargo would be released "nonwithstanding any other provision of law," including prohibitions against offensive use of American supplied arms which were purchased with this restriction on their use.

If the bill passes, Turkey could use these arms, and all commercial arms which it is allowed to buy under this bill, in aggression on another country. I am fundamentally opposed to such a U.S. policy. It is wrong and it cannot be condoned.

America is a great country. It is great, because it stands for great principles. When it ceases to stand for great principles it will cease to be great. The vote of this Congressman, as long as I can cast it, will be to put my constituents and my country on the side of greatness. I am optimistic enough to believe that right principles will win in the end; but if it were not so, I would still want my vote, which is really one cast in trust for my constituents, always to be cast on the side of what is clearly the course of rightness and proper principle.

Mr. MORGAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington (Mr. MEEDS).

(Mr. MEEDS asked and was given permission to revise and extend his remarks.)

Mr. MEEDS. Mr. Chairman, although I voted in the past to impose the arms embargo on Turkey, I am going to support H.R. 8454, because action is needed to break the negotiations deadlock over Cyprus.

The embargo has been in effect since February and it has not brought meaningful negotiations. Instead it has hardened Turkish domestic opinion, worsened relations within the North Atlantic Treaty Organization, and provoked threats to close of U.S. military facilities.

Both Greece and Turkey are allies and important members of NATO. Their importance should not be understressed in the volatile Middle East situation.

H.R. 8454 does not completely drop the military aid embargo. It would permit shipments of \$185 million in military equipment purchased by Turkey prior to February 5. Of this only \$52 million is available for immediate shipment. The bill's symbolic contribution is to give the Turkish Government an opportunity to respond positively in the Cyprus negotiations. There is no momentum in peace talks at this time and this is an attempt to provide some.

It was only after a great deal of thought that I agreed to this temporary lessening of the embargo. H.R. 8454 specifically provides that any new arms sales by the United States to Turkey are forbidden until the 1976 foreign aid bill

comes before the Congress this fall. At that time, if Turkey has not responded favorably to this concession and negotiated in good faith, the embargo can be reimposed and in my opinion, should be.

No one's interests are being served by a continuation of the negotiations deadlock and subsequent human suffering. This congressional compromise, if it produces progress toward peace among our allies, will be well worth the limited risk of allowing Turkey the arms it has already purchased and paid for.

Mr. FASCELL. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. MINETA).

(Mr. MINETA asked and was given permission to revise and extend his remarks.)

Mr. MINETA. Mr. Chairman, we have before us a bill which the administration tells us must be passed in the name of national security. Many of us in this House believe, however, that to pass this bill would be to condone past violations against U.S. law, and that we would there by be encouraging similar violations in the future. I personally can see no way in which a bill that condones the use of our military assistance by our allies to weaken and cripple each other, rather than to add to our common strength, furthers our national interest.

This House and the administration are not arguing with each other so much as we are passing each other in the night: Congress discussing the rule of law, the President national security.

The events that brought us to this point are clear. In the wake of the 1959 London and Zurich agreements, any hope for stability in the area required the maintenance of Cypriot sovereignty and the prevention of unilateral aggression by either Greece or Turkey. In the flare-up of 1963-64 and again in 1967, the U.S. State Department, through strong diplomatic initiatives, prevented intervention into Cypriot affairs by either Greece or Turkey. Consequently, after 1967, the chances for an internal Cypriot accommodation began to improve. In 1974, the State Department failed to take the strong diplomatic action necessary to prevent outside interference in Cyprus. The tragic results and the severe strain on our NATO alliance caused by this diplomatic failure are known to us all.

If we now find ourselves in a situation where, in order to fulfill our constitutional obligation to uphold the law, some strain may unfortunately and unintentionally be added to our relations with Turkey, then I believe that the problem dates from 1974 and not from 1975, and that the blame lies with the administration and not with the legislative branch. The congressional position has been clearly spelled out from the beginning—the Foreign Assistance Act of 1961, the Foreign Military Sales Act, and the Foreign Assistance Act of 1974. Our intent has been clear, unequivocal, and public. Any problems now incurred are not the fault of Congress, but are the fault of inadequate diplomacy on the part of the executive branch.

I urge the Members of this House to be unintimidated by any criticisms from

the administration and to oppose this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BROOMFIELD. Mr. Chairman, I will yield the gentleman from California 1 additional minute so that I may ask the gentleman a question.

Will the gentleman yield?

Mr. MINETA. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, there has been a considerable amount of debate this afternoon about the rule of law, and about the violations of the Turks as far as the use of U.S.-furnished arms are concerned. I for one certainly realize that there have been violations, and I think that could be said of a lot of other nations, many of them have done the same things. But there is no immutable principle that requires the imposition of a total embargo for an indefinite duration as the only permissible response to each such violation. I think that the nature of the response is what the Congress has to decide. In other words, what is the penalty?

How long do we keep it in effect? We believe that the Turks have paid a substantial penalty, and now is the time to move forward and try to get negotiations moving.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DERWINSKI. Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas (Mr. SKUBITZ).

(Mr. SKUBITZ asked and was given permission to revise and extend his remarks.)

Mr. SKUBITZ. Mr. Chairman, I do not hold myself out as an expert in the field of foreign relations or foreign policy—although it appears that the only prerequisite required is membership in the Congress.

I must confess that while my heart urges me to vote no and stop meddling in the affairs of other nations—reason tells me to "stop, ponder, and listen." This I have done.

Several days ago, at the invitation of the President, I attended a briefing at the White House. I listened attentively to the remarks of President Ford, Secretary of State Kissinger, and Secretary of Defense Schlesinger. When such men as Congressman MORGAN and Congressman BROOMFIELD, the chairman and ranking members of the committee, support the President when Congressman WAYNE HAYS of Ohio, certainly no admirer of President Ford's foreign and domestic policies—a man who perhaps knows more about internal affairs of the countries involved, the significance of the legislation and the effect that the failure to pass this legislation would have on the national security and welfare of this Nation—says the President is right on this one—I am persuaded to stop, listen, and ponder.

Mr. Chairman, I shall support S. 846 and take this time to state my reasons for so doing.

In my humble opinion, our national interests in the eastern Mediterranean, our national interests dictate that we

maintain and enhance our ties and security arrangements with both Greece and Turkey, our friends and allies of long standing. The importance of both these nations to the continued vitality of NATO—and, thereto, to the continued security of this country—is self-evident.

In Cyprus, we have an important interest in fostering a fair and freely negotiated settlement tolerable to both sides, one which eliminates suffering and removes that island as a flash point in relations between our Greek and Turkish allies.

It is my belief that our policy goals in the Eastern Mediterranean, in Greece, Turkey, and in Cyprus, are related one to the other; they do not stand in isolation. Action such as the arms embargo against Turkey neglect this interrelationship; they are designed to promote one policy goal without adequate consideration of the adverse effects on other objectives, equally valid.

As a result, a false dichotomy is created. We are asked to choose—unnecessarily in my view—between continued good relations with an old and valued ally and progress on a Cyprus settlement. We tend to lose sight of the necessity and importance of both goals to our national interest. We devote time and energy confronting each other, rather than seeking ways to work together to reconcile and promote our common national objectives.

We engage in unproductive debate in which we, our allies, and the suffering people of Cyprus all come out losers. With misplaced confidence in our ability to influence the course of events through threats and overt pressure, we jeopardize a mutual security relationship for uncertain gains.

In the process, we create doubts in the rest of the world about our judgment, our reliability, and our ability to carry through on important commitments to allies.

I would argue that the tactic of suspending aid to Turkey in order to force movement in the Cyprus negotiations has not and will not succeed. Our unique ability to assist in negotiating a just and peaceful resolution of the Cyprus problem is based on the relationship of friendship and trust we have established with the parties concerned. It has become clear that actions such as the arms embargo which cast doubt on any of these friendships can only reduce our ability to be helpful. The way to right any wrongs or excesses that have been committed is not to debase our friendships, but to use them to bridge the gaps of fear, bitterness and suspicion.

Certainly it is evident to all of us that the arms embargo has not forced negotiating concessions on Cyprus. Rather it has made it more difficult for the government in Ankara to agree to major steps to move the negotiations forward. No government, in Turkey or elsewhere, can afford the appearance of knuckling under to unacceptable and overt foreign pressure. This is all the more the case when it involves an issue on which the Turks feel they have been deeply wronged and threatened over the years. By cutting aid,

we do not hasten progress; we merely produce a hardening of positions. We create resentment. We inject new issues into a negotiation which is complicated enough as it is. We divert attention from the real issues begging to be addressed. And we prolong a crisis which, if it remains unresolved, can only undermine political stability in all the countries in the region with all the obvious, unacceptable results this entails for the United States.

In our desire to promote a just peace on Cyprus, we should not delude ourselves into thinking that we can legislate progress or resolve by fiat issues rooted deep in history. Nor can we afford to ignore the fact that more rapid progress on Cyprus has been hindered by political factors beyond our influence or control—the fall of a government in Turkey in November, the preoccupation of Greece until December with elections, uncertainties over the return of President Makarios to the island.

Above all, we should not lose sight of the fact that we, the Congress and the Executive, are in close agreement on the main outlines of a settlement and the requirement for progress. We all seek a solution to the Cyprus problem that preserves that island as an independent state. We are disappointed over the slow pace of progress and agree it is up to Turkey as the stronger power to show greater flexibility in the negotiations. And we are determined to see a fair and freely negotiated solution to the Cyprus problem that will resolve the refugee problem.

This, in short, is where we stand today and this is why I am urging that we work together with the administration to find ways to ease the embargo on aid to Turkey and safeguard our vital national interests. Only by relaxing the aid embargo can we preserve the bonds of friendship and alliance which have served us well these many years and give us a unique role to play in a Cyprus settlement. Only by eliminating obstacles to our bilateral relationships can we restore confidence in our leadership of the NATO alliance, safeguard friendships whose importance extends far beyond the Mediterranean, and eliminate a major inhibiting factor to progress on a Cyprus settlement.

This is not the time for recrimination or for the assessment of blame. It is a time to look forward, to assist in formulating realistic foreign policy goals which do not force us to choose between equally valid policy objectives, to preserve and strengthen our relations with our key allies, to assist those allies to reconcile their differences peacefully and to see their mutual interest in a peace of justice and conciliation on Cyprus.

Mr. FASCELL. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. TSONGAS).

(Mr. TSONGAS asked and was given permission to revise and extend his remarks.)

Mr. TSONGAS. Mr. Chairman, there is one issue that I would like to address, out of the many that have been brought to the attention of this body, and that is the very real question of what impact

this bill is going to have on the Government of Greece.

Those of us who have been to the White House, and listened to the Secretary of State in his speech in the Department of State, have heard much about the jousting within the Turkish Government, and that, if we do not do this or that, it will have an impact. Such as that Ecevit can criticize Demirel and vice versa. Then we go along with the process of the internal politics of Turkey. We are concerned about that, and perhaps we should be. But does that not raise a question? What is going to happen in Greece? For 7 years Greece was ruled by a rightwing military dictatorship that many of us strongly opposed, and after 7 years we now have a return to democratic constitutional government under Karamanlis, which embodies everything that we as a country profess to believe in.

Why are we not concerned about Karamanlis now? Why are we not in any way structuring this bill to aid his government? We talk about being even-handed, and I think that we should be. We should evidence interest in what is happening in Turkey, because Turkey is our ally. But that same rationale would argue that we should be concerned with what is happening in Greece.

Not once during the Secretary of State's talk at the Department of State was there any concern expressed about what is going to happen to Karamanlis. I think that is our responsibility even if, indeed, he does not think it is that important. If we were going to come up with a bill that was a real compromise, it should have in some way addressed the internal domestic problems in Greece as well as those in Turkey.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BROOMFIELD. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. FISH).

(Mr. FISH asked and was given permission to revise and extend his remarks.)

Mr. FISH. Mr. Chairman, I praise the level of debate we have had here today on this very difficult issue of balancing the United States' security interests against some very important principles. I believe personally that where a major principle is at stake, such as the laws of the United States in this issue, that there is even a higher burden than usual on the proponents, those who would have us in this case relax the embargo.

I would like to take the few minutes I have to address some questions to the leadership on this matter. Much has been said about the safeguards in S. 846 if we do lift the embargo. I wonder if I could address my first question to the gentleman from Florida on an issue that I do not think has been given adequate attention, and that is the danger of future aggression against others than Cyprus.

What is to prevent the use of the \$185 million worth of arms for aggression by the Turks say against Greece itself or in the Aegean Sea?

Mr. FASCELL. The way I read it, nothing, because the bill says "notwithstanding any other provision of law."

Mr. FISH. There is nothing to prevent it. Would the chairman of the full committee answer that?

Mr. MORGAN. I disagree with that because there is a provision in section 2 which says:

Any such suspension shall be effective only while Turkey shall observe the cease-fire and shall neither increase its forces on Cyprus nor transfer to Cyprus any United States supplied arms, ammunition, and implements of war.

Mr. FISH. Would the chairman agree that section 2 refers only to Cyprus rather than any other part of the world?

Mr. MORGAN. That is true. But the provisions of our law have been included in all agreements of sale covering the pipeline to Turkey.

Mr. FISH. Just one more question of the chairman. Would he tell us what type arms make up the \$185 million, and more specifically whether there are amphibious landing craft included?

Mr. MORGAN. These arms include aircraft, ships, vehicles, ammunition, missiles, communications equipment, supply operations, training, and technical assistance.

Mr. FISH. Were amphibious landing craft included?

Mr. MORGAN. There are miscellaneous boats and craft and spares but it is not spelled out whether any of them are landing craft or not.

Mr. FISH. Any offensive missiles?

Mr. MORGAN. Missiles and support equipment are listed for \$18 million.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FASCELL. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Ms. ABZUG).

(Ms. ABZUG asked and was given permission to revise and extend her remarks.)

Ms. ABZUG. Mr. Chairman, there has been a great deal of debate heard today on this bill which is called a compromise. It is no compromise; it is a sellout of a basic principle. Turkey used our arms illegally in its flagrant aggression against Cyprus. We exercised our congressional power to limit the President's right in foreign affairs, for one of the few times, when we voted a ban on arms to Turkey for its misuse.

I think there has been no evidence that we should change our vote. Turkey has shown no inclination to withdraw the 30,000 troops—supplied with U.S. arms—who still occupy 40 percent of Cyprus nor to take any steps to move toward negotiations.

A great deal of suffering has come about as a result of this illegal use of our arms. We are talking about people, we are talking about refugees, we are talking about men, women, and children, we are talking about the right of people to be sovereign and to be independent without the interference of others by the use of force of arms especially ones we supply; 180,000 Greek Cypriots remain homeless and in need. Are we to ignore them and allow Turkey to impose settlement by force? Perhaps to invade Greece itself?

There has been a great deal of effort by the White House to twist arms. I am

perhaps able to come before the Members today and reaffirm my vote of 7 months ago, because I was not one of those brought to the White House to have my arm twisted. Thank heaven for that.

One argument has been used which I think should be addressed by those who speak from here on out, and that is the question of our security; namely, the use of Turkey as an area from which we can verify past and future arms limitation agreements with the Soviet Union. I believe that is a very questionable argument. Dr. Herbert Scoville, formerly with the Defense Department and the Arms Control Agency, says these bases are of marginal utility, in this era of electronic and technological and satellite devices. Verification of any SALT violations can be accomplished in many ways, particularly by satellite.

Will we in this Congress vote to utilize our power under the Constitution to limit the power of the President? Or will we allow funds we appropriate to be used for aggression against innocent people? Will we say to countries hosting some 300 other military installations, that they they are free to disregard our laws?

We have to stand on the side of a commitment to world peace and to helping nations build their country's economy and sovereignty and to defend themselves. We must not allow our funds to be used for aggressive purposes.

Mr. DERWINSKI. Mr. Chairman, I realize it is difficult for any Member to follow the distinguished gentlewoman from New York who just spoke, but I now recognize one of the great statesmen of this body, the gentleman from California (Mr. ROUSSELOT) for 5 minutes.

(Mr. ROUSSELOT asked and was given permission to revise and extend his remarks.)

Mr. ROUSSELOT. Mr. Chairman, I regret that I have been in the Committee on Banking and Currency discussing the issues of monetary policy with the Chairman of the Federal Reserve Board. Therefore, I have not had a chance to be here for the entire debate; but I wonder if the chairman of our distinguished committee could help answer a few questions that I posed to the gentleman from Wisconsin (Mr. ZABLOCKI). I did know that the gentleman from Wisconsin was trying to complete his entire remarks and was not able to totally respond to my questions a moment ago.

Is it not true that part of the problem, as I understand it, in this American embargo to have some impact on the Turkish Government is to encourage them to, first, negotiate on the issue of the Cyprus situation; second, to handle the refugee problem, relates to the Turkish Government actual attitude toward the seriousness of the embargo. The problem has been that certain members of our State Department, including our own Secretary of State, have tended to encourage the Turkish Government to not be too concerned about this embargo, because it was felt by those representatives of our Government that with our President's new-found popularity—this is after February—the President's new-found popu-

larity and the willingness of Congress to be very concerned about our bases in Turkey that, therefore, the Turkish Government really did not need to worry about the embargo, because the State Department and the Secretary were persuaded that Congress could be encouraged to turn this all around by eliminating the embargo.

Mr. MORGAN. Mr. Chairman, if the gentleman will yield, I think the gentleman is wrong. I think both the President and the Secretary of State have tried very honestly to help solve this situation. They did not like the embargo—they thought it would be counterproductive—and they made this clear from the start. But they have also done what could be done to bring the Greeks and the Turks to the negotiating table.

To bring the gentleman up to date, the Secretary of State sat in the Speaker's office when the cut-off date of February 5 was agreed on. That was in December 1974. To get the foreign aid bill, that was the only way the Executive could get the foreign aid bill, and they agreed.

The embargo went into effect on the 5th of February. The Secretary of State prior to that had met with both the Greek and Turkish foreign ministers. Since that time, many other meetings—many other efforts—have been made to solve the problem—all without success.

Mr. ROUSSELOT. Mr. Chairman, I attended with the gentleman the breakfast at the White House. I do believe the President has made a substantial effort to get the Turkish Government to agree to negotiations in Cyprus. What I am saying, whereas the President was trying to get the Turkish leadership to agree to negotiation, there is some evidence from reliable sources that this may not be the whole story.

Mr. MORGAN. That is correct.

Mr. ROUSSELOT. So at the same time, our Secretary of State, I know he feels very strongly on his position, some of our Government representatives were saying, "You need not worry too much about the embargo because we think there is a chance to turn Congress around." Is that not true?

Mr. MORGAN. I never have had that information. I think I have had as many conversations with the Secretary of State on this embargo as any Member of the Congress.

Perhaps the gentleman from Wisconsin (Mr. ZABLOCKI) could answer more fully.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Wisconsin (Mr. ZABLOCKI).

Mr. ZABLOCKI. Mr. Chairman, a question concerning that allegation was asked of the Assistant Secretary for Political Affairs. Mr. Sisco, categorically said there was no such evidence.

Mr. ROUSSELOT. In other words, the Secretary did not say that?

Mr. ZABLOCKI. The gentleman from California is erroneously informed.

Mr. ROUSSELOT. In other words, the Secretary of State has not said to the Turkish Government, to the best of our knowledge that, in fact, "Do not take

too much concern about the embargo. We will try have Congress turn around." My question is: Has that not occurred?

Mr. ZABLOCKI. It is the understanding of the gentleman from Wisconsin that it has not occurred.

Mr. ROUSSELOT. My information does conflict with the statements of the gentleman from Wisconsin. Mr. Chairman, I yield to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. Mr. Chairman, within 2 weeks after the embargo took effect on February 5, a resolution was introduced to totally lift the embargo and restore the flow of arms within 2 weeks.

The Secretary himself has frequently said that he is going to seek to reverse the decision of the Congress.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. DERWINSKI. Mr. Chairman, I yield 2 additional minutes to the gentleman from California.

Mr. ROUSSELOT. Could the gentleman tell me where he got the information he has just given us?

Mr. SARBANES. Of course, the introduction of the resolution in the Senate to completely reverse the arms cutoff is a matter of public record, as are the statements of the Secretary and the President. In fact, he then said that he considered this a terrible decision and indicated to the government of Turkey that they were to seek to prevent it.

The comments of our Ambassador to Turkey as reported by the Turkish press and the comments of the Secretary of State are in the same vein, and that was immediately upon its implementation.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Ohio.

Mr. HAYS of Ohio. Mr. Chairman, I do not think it has been any deep, dark secret that the Secretary was unhappy about the cutoff.

Mr. ROUSSELOT. We all understand that.

Mr. HAYS of Ohio. And, I voted for it. I have talked as many times, I expect, to the Turkish envoys who were over here as anyone in the House. I talked to the former Turkish Ambassador to NATO, Mr. Birgi, and to Senator Enan, a member of the Turkish parliament, and they were always very anxious and said:

Is there a chance that we will be able to get the Congress to remove this, because we cannot negotiate under the gun.

At no time did they even infer that the Secretary said that he could turn the Congress around, and I do not think the Secretary thinks he has that power.

Mr. ROUSSELOT. I am not suggesting that the Secretary had a lock on the Congress, because he knows he does not, but I was wondering if the implication was left with the Turkish Government to such an extent that it made it apparent that the embargo was, in fact, to be broken, or in fact had no meaning.

Mr. HAYS of Ohio. The gentleman said that this was a different Turkish Government, and this government in my judgment—and I know the Prime Minister—

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is willing to negotiate as we go on. I voted for the Jackson-Vanik amendment, and I expect the gentleman did, too, and it has been counterproductive.

Mr. BIESTER. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Chairman, this has been an excellent debate, and despite the emotional character and nature of the problem involved, I want to congratulate all the participants who have participated in this debate.

The suggestion is made that what is really involved here is the very broad question of U.S. policy with respect to the sale or grant of arms to other foreign countries; such broad principles as the matter of the enforcement by the executive branch of the laws of our country, that those principles are going to be completely subverted if we adopt this legislation. I will take issue with that analysis of the problem. I would suggest that there is a more immediate concern to which we are directing our attention in the adoption of this bill, and that is the concern that we feel in our hearts for the 180,000 or more Cypriot refugees who have been driven from their homes because of this tragic intercommunal or civil conflict. I would suggest that if we really want to do something for those people, for those refugees, that we ought to adopt this legislation today.

When we look at the Middle East today, what is the problem there that for more than a quarter of a century has continued to fester and break out once, twice, three times, in tragic war? It has been the problem of the Palestinian refugees, has it not? The problem of hundreds of thousands of people who were driven from their homes, and because we have not had a political or judicial settlement of the issues involving those refugees, they continue to keep the threat of war hanging over the Middle East even today.

I would suggest that unless we can do something to solve the problem of the refugees on Cyprus, unless we can have a political settlement of that dispute, we are going to continue to have the threat of war hanging over that unhappy island. This bill, in my judgment, in my humble opinion, at least moves us off the position of total impasse where we stand today.

The suggestion has been that some of us supporting this legislation are not really interested in the plight of the refugees, that the U.S. Government has been less than concerned about these people driven from their homes.

I think the facts belie any such charges. This country was one of the very few countries to respond to the worldwide appeal that was made by the United Nations High Commission on Refugees and the International Committee for the Red Cross last summer. We have donated in the last fiscal year, the one ended June 30, \$36 million for the assistance of these people. We have requested an additional \$25 million in the fiscal year 1976 to finance the U.S. support for Cyprus, \$15 million of that to cover some of the

relief activities, the cost of the U.S. support of the relief activities. The cost of feeding these displaced persons in both zones of Cyprus is estimated to cost more than \$3 million a month alone.

Let us do something. I plead with the Members of this House, about the plight of these unhappy people. Let us at least, with the passage of this legislation, try to take one positive constructive step forward to move us out of the present stalemated condition in which we find ourselves, and hope that thereby we can encourage the reasonable ongoing negotiations between the major powers who had agreed to guarantee the security and the independence of Cyprus, that we may achieve a solution rather than a continuation of the stalemate.

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DERWINSKI. Mr. Chairman, I yield myself 3 minutes.

(Mr. DERWINSKI asked and was given permission to revise and extend his remarks.)

Mr. DERWINSKI. Mr. Chairman, I would like to point out that this is an incredibly complex question, and I do hope the Members do vote objectively. I, frankly, think most have made up their minds. To a degree, all of our debate is for the record. We do not have that many votes in doubt. Even though I am going to vote against the measure, I do so for what I consider positive reasons. I do not happen to be anti-Henry Kissinger. I am not a member of the Henry Kissinger fan club, by the way, either. But I do not think the Secretary is at issue here. The issue is, as I see it, whether or not there has been enough progress on Cyprus, progress in having the refugees return to their property, progress in the political settlement involving the government on the island, progress between the Turkish and Greek Cypriot community. And it is this lack of progress that I consider the central issue.

To give the devil his due, I think the Secretary has acted in good faith. I would question his judgment, but I do not question his sincerity.

The key issue is that Congress has imposed restrictions on arms shipments to Turkey conditioned upon substantial progress. In my judgment, the progress has not been there, and for that reason I oppose this measure.

Mr. FASCELL. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Maryland (Mr. SARBANES).

(Mr. SARBANES asked and was given permission to revise and extend his remarks.)

Mr. SARBANES. Mr. Chairman, let me at the outset make one brief prefatory remark, if I may be permitted.

There have been charges about ethnic politics and a Greek lobby, and I want to say to the Members of this House that those Americans of Greek origin and other Americans who are interested in this issue are not a Greek lobby; they are an American lobby. They are an American lobby for decency and for the respect for law; they are an American lobby for an important principle in American foreign policy; namely, that

we should seek to deter, not to condone, aggression; and they are an American lobby for the role and the responsibilities of the Congress of the United States in carrying out its constitutional duties.

We would not be here considering this matter today had not Turkey, at the peace talks at Geneva in mid-August broken off those talks and launched a major military assault on the island of Cyprus. There was no effort to cut off arms to Turkey in response to its military action on the 20th of July because that move related to the actions of the Greek junta on the 15th of July precipitating the coup on Cyprus. That move could be viewed as an assertion of responsibility, as a guarantor power under the London-Zurich Accords, in order to reestablish the constitutional arrangements for which the guarantor powers were responsible.

Following the Turkish entry into Cyprus, the coup collapsed, the junta collapsed, and a cease-fire was negotiated. The parties went to Geneva, and talks began on a settlement, talks which offered an opportunity to resolve the situation.

On the 14th of August Turkey broke off those talks in Geneva at 2 a.m. and within 3 hours Turkey had launched a major military assault which had been in the planning stage. This assault overran 40 percent of the area of the island representing 70 percent of its wealth, created 200,000 refugees, one-third of the island's population, and killed and wounded thousands of innocent people.

That was clear blatant aggression, and it is that military assault which has brought us to this point. In response to that aggressive action, the Congress stopped the flow of military arms to Turkey. In doing so, it asserted a fundamental principle of American foreign policy; namely, that weapons are supplied to other nations for defensive and not for aggressive purposes. This is a principle reflected in our laws; it is reflected in the Foreign Assistance Act and in the Foreign Military Sales Act. It has been in those laws for more than a decade.

The principle was not put into the law after the fact. It has been in the law for more than a decade. To reverse now that principle and that law without Turkey's having made one good-faith effort on Cyprus to restore to their homes the refugees, about whom we have heard so much, and alleviate their problems is to abandon the basic principle; it is to condone the aggression.

What lessons are to be drawn around the world about the meaning of our law and about the meaning of American policy if the Congress is to reverse its decision with no steps taken by Turkey to remedy its aggression. Obviously the resumption of military aid must be related to steps to remedy the aggression. To do otherwise is to abandon a basic principle of American foreign policy. Without a principled content to our foreign policy, our leadership position in the world will be premised upon power alone and not also upon principle. We have not in the past been willing to proceed solely on that premise.

Mr. Chairman, on the 4th of July the



President came to my district, to Fort McHenry in Baltimore, and quoting Abraham Lincoln, he said that the United States was "the last best hope of mankind."

If we are to be the last best hope of mankind, then we must keep principle as well as power as essential elements of our leadership. That is what we are asking for here today.

We have gone to the Secretary of State again and again and said, "Take this tool of the cutoff which the Congress has given you to work constructively to achieve a resolution on Cyprus. Do not simply address yourself to the task of reversing the Congress, of turning the Congress around. Take some action to meet the pressing humanitarian problem which exists on that tragic island so that we can then move forward with this matter."

Mr. DRINAN. Mr. Chairman, will the gentleman yield?

Mr. SARBANES. Yes, I yield to the gentleman from Massachusetts.

Mr. DRINAN. Mr. Chairman, I thank the gentleman for yielding.

I want to associate myself with the eloquent remarks of the gentleman from Maryland (Mr. SARBANES).

(Mr. DRINAN asked and was given permission to revise and extend his remarks.)

Mr. DRINAN. Mr. Chairman, I do not intend to reiterate the compelling arguments against this legislation which have been made by previous speakers on both sides of the aisle. Nevertheless, in order to clarify my reasons for opposing this bill, a brief historical review is called for. When S. 846 was passed by the Senate on May 20 and referred to the House Committee on International Relations, I began searching diligently to discover any change in the circumstances which had prompted Congress to enact legislation suspending the sale of arms to Turkey in December of last year. On five separate occasions during September and October of 1974, the House had voted overwhelmingly to cut off the shipment of arms to Turkey.

At that time, the case seemed quite clear. On July 20, 1974, following an attempted coup by Greek militarists, the Turkish army invaded the independent nation of Cyprus. By August 16, when a cease-fire was agreed to, 40,000 Turkish troops occupied 40 percent of Cyprus, including most of the country's farmland and economic resources. Nearly 200,000 Greek Cypriots, one-third of the entire population of Cyprus, were driven from their homes by the invading army. Some 6,500 Greek Cypriots were killed or wounded. Civilians were brutally raped and tortured.

We are all familiar with the tragic events of last summer. The facts are undisputed. No Greek soldiers set foot on Cyprus during the fighting. It was a case of naked aggression, with Turkey acting to carry out its vows to seize control of Cyprus from the Greek Cypriots who make up more than 80 percent of the country's population.

In the wake of the Turkish invasion, the administration had no choice under the Foreign Military Sales Act and the

Foreign Assistance Act but to cut off all weapons shipments to Turkey. The law is quite clear on this point: American arms can only be used for defensive purposes. Turkey had openly violated the agreement under which it had received our arms. Nevertheless, the administration refused to act to uphold the law.

It took an act of Congress which specifically suspended the sale of arms to Turkey to accomplish that. The bill enacted in December permitted the President to put off the effective date of the arms suspension until February 5, 1975, if he determined that such action would further the progress of negotiations for peace on Cyprus. President Ford made that determination on December 31, 1974, and American arms continued to flow into Turkey until February 5, 1975, when shipments were finally halted.

So, I ask again, how has the situation changed? Has Turkey ceased to occupy a large portion of Cyprus with its invading army? The answer is no. Indeed, Turkey is in the process of transferring some 100,000 Turks to Cyprus to replace the Greek Cypriots who have been forcibly driven from their homes into squalid refugee camps.

Has Turkey agreed to negotiate with Greece to remove its forces and restore Cyprus to its sovereign state? The answer is no. Forty thousand Turkish troops remain in place, and no progress has been made in negotiating their withdrawal.

Has the Congress repealed the requirements in the Foreign Assistance Act and Foreign Military Sales Act which forbid the transfer of American arms to a foreign country engaged in aggression? The answer once again is no.

So there has been no change in circumstances. Yet the administration says that this legislation is needed. Indeed, the President and his Secretary of State have waged an all-out campaign to convince the House to reverse itself on this issue.

I have listened carefully to the arguments for resumption of arms shipments to Turkey presented by the administration and by the proponents of S. 846. I find them all to be completely lacking in substance. First, the proponents assert that the arms embargo has been ineffective in settling the Cyprus dispute and therefore should be abandoned. There are several fallacies in this line of argument. The purpose of suspending arms sales was not to drive Turkey to the bargaining table; it was to enforce our own laws regarding military sales and to stop our involvement as a direct accessory to aggression on Cyprus. Our foreign policy must be grounded in principle to some extent, not molded on the expedient basis of what will work and what will not. Moreover, once the administration stops trying to end the embargo, and Turkey learns that we mean what we say with regard to their forced occupation of Cyprus, perhaps the Turkish Government will be more prone to negotiate seriously.

Second, the proponents say that we are punishing an ally by singling out Turkey for an embargo on arms. These Members ignore the fact that we have

given Turkey more than \$3 billion in economic and military aid since World War II. They ignore the fact that Turkey had a period of 5 months between the first House vote to cut off arms in September and the imposition of the embargo in February to change its policies. Yet Turkey did nothing. Finally, they ignore the fact that our laws prohibiting the use of American arms for aggressive purposes do not have a time limit of 2 months or 4 months or 6 months. They are operative indefinitely until the offending condition has been eliminated. Turkey has not been singled out for punishment. The United States is simply enforcing its long-established laws regarding foreign military sales.

Third, proponents of this legislation point to Turkey's recent threats to expel American forces from Turkish military bases. "American national security and the preservation of NATO require that we prevent this from occurring," they argue. If this argument is accepted by the House, dozens of nations, large and small, throughout the world, will be handed a license to extract assistance and other promises from the United States by engaging in such blackmail.

On June 23, Secretary Kissinger stated firmly that "no ally can pressure us by a threat of termination." Yet Mr. Kissinger and others now ask us to capitulate to such a threat emanating from Turkey. No evidence has been presented which demonstrates that our survival as a nation would be imperiled should Turkey carry out its threat to close its bases to the United States. As for the survival of NATO, I should point out that NATO was established to prevent armed aggression, not to countenance it. If American support of Turkish aggression on Cyprus is the price we must pay for Turkey's membership in NATO, perhaps we should be willing to suffer Turkey's departure from NATO. I strongly suspect that such a move would imperil the security of Turkey far more than it would our own.

In conclusion, Mr. Chairman, the situation has not changed since last December and no valid reasons for lifting the embargo on arms to Turkey have been presented. This legislation has been labeled a "compromise" and deceptively entitled "An act to promote improved relations between the United States, Greece, and Turkey." In reality, this is no compromise at all. It simply permits the President to supersede existing law and resume the shipment of arms to Turkey. Turkey need take no action in return. There are some constraints imposed on the transfer of such arms under the Foreign Military Sales Act. But commercial arms sales conducted under the Mutual Security Act would be unlimited in quantity and free from prior congressional scrutiny or disapproval. This bill constitutes a blank check for the continued support of Turkish aggression on Cyprus.

As for improved relations, there can be no doubt that the enactment of S. 846 would make Turkey quite happy. On the other hand, I do not see what it would do to improve American relations with the democratic government of Greece. Moreover, it is hard to understand how

the resumption of American arms sales to Turkey would enhance relations between Greece and Turkey. This bill could be more accurately named "The Turkish Rearmament Act of 1975." I urge my colleagues to uphold the law, to reassert our Nation's historic opposition to armed aggression, and to reject this attempt at foreign blackmail by soundly defeating this bill.

Mr. PHILLIP BURTON. Mr. Chairman, will the gentleman yield?

Mr. SARBANES. Yes; I yield to the gentleman from California.

(Mr. PHILLIP BURTON asked and was given permission to revise and extend his remarks.)

Mr. PHILLIP BURTON. Mr. Chairman, I, too, would like to commend our distinguished colleague in the well, the gentleman from Maryland (Mr. SARBANES), for his comments, and I would like to associate myself with his remarks and urge all of my colleagues to reject the proposal before the House.

(Mr. PHILLIP BURTON further addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.)

Mr. MORGAN. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. HAYS).

(Mr. HAYS of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HAYS of Ohio. Mr. Chairman, there is no Member of this body for whom I have higher respect and deeper regard than for the gentleman who just preceded me in the well, Mr. SARBANES.

I can well understand his position, and I can understand that he has deep emotion about it. I supported his position in the last go-round on this issue, as I supported the Vanik-Jackson amendment, because I felt emotional about the treatment of the Soviet Jewish minority by the Soviet Government. It gave me a good deal of personal satisfaction to cast that vote.

However, what has been the result? The results in both cases have been not only counterproductive, but in the case of the Jackson-Vanik amendment, the Russians simply cut the migration of Jews from 36,000 to 6,000; and in the case of the restrictions on Turkey, they simply have refused to negotiate under the gun.

I have talked to the Turks about this, and I have talked to the Prime Minister of Greece. There are great differences of opinion, but I think they are soluble if we can get negotiations started, meaningful, real negotiations.

I think I have a special right to talk about this because in the days of the junta, in the days of the dictatorship, who did more damage to the Greek people even than the Turks did on Cyprus, in physical damage and mental torture? I am the one who introduced an amendment not to give any more arms to that government until a democratic government was installed in Greece.

I am sure that if the gentleman from Maryland (Mr. SARBANES) had been in this body then, he would have supported it, or maybe he did; I am not sure.

Mr. SARBANES. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. Yes; I yield to the gentleman from Maryland.

Mr. SARBANES. Mr. Chairman, the gentleman from Ohio (Mr. HAYS) offered such an amendment after I became a Member of this body, and I did, indeed, support it.

Mr. HAYS of Ohio. The gentleman from Maryland did support it, and I recall that the gentleman from Indiana (Mr. BRADEMAs) also supported it.

Yet, many of the same voices outside of this Chamber—and I heard some of them in my district—of the so-called Greek lobby, were denouncing me all over this country as an enemy of Greece. They were supporting the junta which had its fingers around the throats of the Greek people.

Mr. Chairman, I want to see this problem in Cyprus settled. I want to see those Greek Cypriots get to go back home. I want a settlement. I want a government. I do not know what we can come up with. My judgment is that we are going to come up with a compartmentalized Cyprus which has a Turkish minority section and a Greek Cypriot majority section, but I think we have to look at the whole picture.

As the gentleman said, the junta did start this, and the Turks did invade, and I agree that they went too far when they broke off negotiations in Geneva.

The Members and I have no disagreement about that, but as I said to Prime Minister Karamanlis in his office in Athens, "You have to think of one thing Mr. Prime Minister: If it had not been for the Turkish invasion of Cyprus which so humiliated the junta, they would still be in power, and you would still be sitting in exile in your apartment in Paris where I met with you and talked about the future of Greece."

Therefore, this is not all a one-sided thing. What we are really doing if we pass this resolution or bill is saying to Turkey, "Yes, you can have the arms if they are bought and paid for, and we are not trying in the legislation to cut you off in 3 months." However, after July 31 if I am not mistaken, nobody can buy any more arms until there is a new arms sales bill passed, and that is coming up in October, at which time we can take another look.

Mr. BROOMFIELD. Mr. Chairman, I yield the balance of my time to the distinguished minority leader, the gentleman from Arizona (Mr. RHODES).

(Mr. RHODES asked and was given permission to revise and extend his remarks.)

Mr. RHODES. Mr. Chairman, I must say that each time I have taken the floor on this subject—and I have done so several times—that it is one of the more difficult jobs that I do as a Member of this body. It is difficult because there is merit on each side of this question, so I can certainly understand how the Members feel. Also, I have no quarrel with anything the gentleman from Maryland (Mr. SARBANES) said, and I agree with the gentleman from Ohio (Mr. HAYS), for whom I have great respect, and for the gentleman from Indiana

(Mr. BRADEMAs) who also feels very strongly about the matter.

However, I believe the thing we need to be looking at now is what this does to the United States of America.

This is not a Greek matter or a Turkish matter. As a matter of fact, it is a NATO matter, and it is an American matter. NATO needs both Greece and Turkey. Without both of them the southern flank of NATO is exposed and can be turned by an armed and determined enemy.

Even more, Greece and Turkey need each other because if they end up with permanent enmity then some of the other nations in that part of the world who have been predatory in the past can certainly become predatory again.

So, Mr. Chairman, I believe what we are trying to do here today is to unravel a very knotty problem. It seems to me that this is the first step in solving it.

We need to get people to negotiate, not only on the Cyprus situation but on some of the other matters that involve the relationships between Greece and Turkey in that part of the world. I think the Aegean Islands are important. I believe that progress can be made concerning them and, indeed, that we could get that matter settled.

The embargo that was imposed at the insistence of this body just flatly has not worked. There have been no negotiations. There has been no progress toward any kind of settlement. The refugees on Cyprus continue to suffer and, in the meantime, the Greek-Turkish schism becomes deeper and wider, and the United States has to move in order to get this situation off of dead center.

Let me just mention some of the things that might occur if this bill is not passed. It has been said that the Turks will demand renegotiation of our bases there, and perhaps it will be necessary for us to close them down. If we do have to close those bases, this will not hurt Turkey, it will hurt us. Also, as the Members know, many of the things which we do at those bases are much more important to the United States and Western Europe and, in fact, to the whole free world, than they are just to Turkey. We need those bases. It is not a matter of their blackmailing us because, after all, according to the Turks—and I can understand that many of the Members disagree with them, but I can also understand their viewpoint—they say we committed the first act of repression by imposing an embargo on them. They felt they had a right to invade Cyprus to comply with their treaty obligations after the Greek junta sponsored a takeover of that island by people who tried to assassinate Archbishop Makarios. Whether right or wrong, that is the way they feel, and I can imagine their feelings because they feel that we in America drew the first sword after having been good friends of ours.

It has not been said before, but I do not think there were any more valiant soldiers in Korea than were the Turks. They fought shoulder to shoulder with our people, and they did a great job. So, as I say, they wonder why we did what we did.

I think it is high time, Mr. Chairman, that we vote in favor of the United States of America, and to me a vote in favor of this bill is such a vote, and I urge the Members to vote for the legislation.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. FASCELL).

Mr. FASCELL. Mr. Chairman, I yield myself the remaining time.

(Mr. FASCELL asked and was given permission to revise and extend his remarks.)

Mr. FASCELL. Mr. Chairman, I rise in strong opposition to the pending bill and urge all my colleagues to vote against it. The only real issue today is what is best for the United States. If this resolution is adopted I respectfully suggest that it is not in the best interests of the United States.

This House went on record by a vote of over 3 to 1 in February of this year deciding the issue with respect to the violation of American law in the use of arms by Turkey for aggressive purposes. Speaker after speaker have gotten up here today and said that the issue is a matter of principle.

A principal argument for the bill is that the embargo has not brought about any concession by anybody, so they are no closer to a settlement now than they were before and therefore we in the United States should forget principle.

Mr. Chairman, it is suggested by the proponents of the pending bill that all of us who voted for the embargo on arms the last time as a matter of principle should now turn right around in a complete circle, about-face, and lift the arms embargo. I ask the Members to ask themselves what has changed as a matter of principle? What has changed that would make them make that decision?

I will tell the Members what has changed since we put that embargo on. There are two things: one, the Turkish Government came out very explicitly and said after a period of time, "We, the Turkish Government, are going to review our agreement with the United States on U.S. bases in Turkey." In other words pressure was put on the United States.

Immediately out of our Government came the unilateral conclusion that Turkey's statement affects our national security; therefore, we ought to change our minds and lift the embargo.

The other thing is that it is quite clear, and admitted by everybody—proponents, opponents, the administration—that there is absolutely no guarantee of any kind, or even a possibility—it is just a big if—that if we adopt this resolution that progress will be made on the issues between Greece and Turkey. The Turkish Government is in command of the situation. They have the majority of the island. They have most of the military force. If the Turkish and Greek Governments have not agreed by now, why would they have to agree to anything later?

I do not know why the sole burden is on the U.S. Government to bring about an agreement between Greece and Turkey.

We have bases also in Greece that are important to our national security. But we do not seem to be worried about them.

The answer is, nothing has changed. This resolution will not help it any. The Turkish Government will get the arms but it does not necessarily mean that they will thereafter do what they could have done before.

The United States sells over \$9 billion a year in arms to other countries under the same restrictions. If we lift the embargo it will undercut all congressional restraints and executive agreement on arms sales.

In the final analysis it will be clear to all, that the United States caved in under pressure and that an important principle of law has been rejected.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from Pennsylvania (Mr. MORGAN) to close the debate.

Mr. MORGAN. Mr. Chairman, I yield the remaining time to the gentleman from Indiana (Mr. HAMILTON).

(Mr. HAMILTON asked and was given permission to revise and extend his remarks.)

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. HAMILTON. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. I thank the gentleman for yielding.

I just want to remind the gentleman from Florida (Mr. FASCELL) when he asked what did Greece do, that, of course, the Greeks have taken our bases in Greece and our home-porting privileges, and put them under Greek command.

Mr. HAMILTON. Mr. Chairman, I rise in support of S. 846.

The vote on this bill may be the most important single vote for Congress on a foreign policy issue this year, and I hope the Members of the House will support the bill.

Whatever your view of the arms ban on Turkey 6 months ago, it has become clear today that the ban is not working. It has been counterproductive to America's best interest in the eastern Mediterranean. The ban is now contributing to an unacceptable and deteriorating situation.

The arms ban on Turkey has threatened the viability of the southern flank of NATO and Turkey's ability to carry out its NATO force goals; contributed to a deadlock in negotiations on Cyprus and thereby helped to prolong suffering of the Cypriot people; jeopardized continued U.S. access to military and intelligence installations in Turkey; and undermined Turkish-American relations and, because of the festering Cyprus crises, threatened continued Greek-American relations.

The crucial question here concerns the means that the U.S. Government has to influence the Governments of Turkey, Greece, and Cyprus to deal with this intolerable situation in the eastern Mediterranean.

More precisely, the question is whether the several U.S. foreign policy interests in the area will be better served

by a continuation or modification of the arms embargo against Turkey.

If this bill is defeated and the ban continues, the consequences could be serious:

Turkish bases and intelligence-gathering facilities may be lost;

Our 30-year relationship with Turkey may be irreparably harmed;

Turkey may be forced to realign itself with closer ties to the Soviet Union to the north and to some of its less moderate Arab neighbors to the south; and

The stalemate in Cyprus will drag on, with all that means in human suffering by the refugees, and eventual problems for Greece.

Wise policy simply does not risk these kinds of consequences. We have two possible courses of action:

1. The ban be continued. The theory of this approach is that by denying all arms to Turkey pressure will mount on Turkey to make concessions that will get Cyprus negotiations off the ground; and

2. The ban can be modified. The theory here is that a partial lifting of the ban will show the good faith and willingness to compromise of the United States and that a new climate will be created to put in motion a series of moves, some by Turkey, that will lead to successful talk on Cyprus and improvement on other issues.

Keeping the ban in tact tends to perpetuate all the problems that now exists. That course of action simply has not worked. The people in our Government who are closest to this problem believe that the Turks will not buckle under the pressure of the arms embargo and make concessions while the embargo is in effect. It simply runs counter to their national character to do so. Furthermore, they can obtain the equipment they seek from other sources. The fragile internal political situation in Turkey, which permits no sign of weakness on the Cypriot question, also argues against early Turkish compromise under pressure.

The present unacceptable situation requires, then, some action to modify the ban.

This bill represents an effort to break out of the present stalemate. The bill resumes some arms shipment but links their continuation later to progress in Cyprus. If Turkey has a feeling for its continued relationship with the United States, it will accept the opportunity created. If not, the ban can be reimposed.

This bill then should be supported because:

First. The United States, as the superpower, needs to take the first step to help break the present impasse and to prevent further deterioration in the situation on Cyprus;

Second. We need to keep the southern flank of NATO strong and viable. In order to do that we have to have good ties with our two allies, Greece and Turkey.

Third. Our best hope to be able to influence Turkey on issues that matter to us, including the opium issue, is by modification of the arms embargo. A continuation of the ban will simply harden



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the Turkish position and weaken our ability to insure that there are adequate safeguards against Turkish opium getting into illicit markets.

Fourth. The current diplomatic, political, and military situation in the eastern Mediterranean is intolerable, and, if the arms ban continues, a bad situation will only get worse; and

Fifth. The aid embargo has been counterproductive. It threatens important U.S. interest in the eastern Mediterranean and our access to defense and intelligence installations in Turkey.

A vote then against this bill is a vote for the status quo. It is a dead end—negative—approach. Such a vote represents support for the present, unsuccessful approach to win Turkish concessions on Cyprus.

A vote for this bill is our best hope in the present situation to try to set in motion a series of moves, some by Turkey that will produce meaningful negotiations on Cyprus; restore vitality to NATO; protect important U.S. intelligence gathering facilities; and improve U.S. bilateral relations in the area.

Mr. BINGHAM. Mr. Chairman, the time has come for some rethinking of our action taken last year imposing an embargo on all arms sales to Turkey. The passage of time and recent developments have persuaded me that we should introduce some flexibility in our stance on Turkey's violation of the Foreign Military Sales Act of 1968 and the Foreign Assistance Act of 1961, and for this reason I support H.R. 8454.

Last September, Congress embargoed further military sales or grant aid to Turkey in the firm belief that we could not allow statutory restrictions on arms sales to be violated. Indeed, Turkey had used arms sold to her by the United States in her occupation of 40 percent of the island of Cyprus, thereby violating section 4 of the Foreign Military Sales Act and section 503 and section 505(a) (1) (c) of the Foreign Assistance Act. These conditions, which Congress has mandated for military aid and sales programs, cannot be disregarded. They stipulate that arms we sell must only be used for self-defense against outside aggressors or against internal subversion, and a flagrant violation of that stipulation cannot be allowed to pass unnoticed. It was on that basis that I voted for the embargo last year.

The hope that an arms embargo would induce Turkey to negotiate constructively with respect to Cyprus also influenced many Members of Congress. However, I did not share that hope at the time, and I am now more convinced than ever that continuation of the total embargo will only anger Turkey without encouraging dialog and compromise.

Political developments in Turkey in recent days demonstrate the counterproductive effects of the arms embargo. This is revealed by the trend in Turkish foreign policy statements. The embargo has pushed Turkey into a more and more inflexible position and closer to a rejection of her alliance with the United States. In mid-June, Prime Minister Suleyman Demirel and his foreign min-

ister, Mr. Ihsan Caglayangil, were making statements no more definite than that the U.S. presence in Turkey needs to be adjusted to the new situation. By the end of June, internal pressure had built tremendously, and Government positions had changed. Prime Minister Demirel has begun to speak out against the United States, and yet his statements are far too moderate to please the majority of his countrymen.

Whereas, in his June 16 notice to the U.S. Embassy in Turkey, Foreign Minister Caglayangil left open the question of the status of U.S. installations during the reappraisal period which was to start July 15, 2 days later he had been attacked by the opposition. He responded to a reporter's question of "who will determine the provisional status—of the installations starting July 15?" saying "We shall determine it." Whereas Caglayangil, in his June 16 statement said that, in light of U.S. action, Turkey is entitled to abrogate her treaties with the United States, shortly afterwards he was pressured into saying, during a news conference, "We also told the United States Government that the Turkish Government could no longer continue to consider as valid the joint defense agreements between the two countries."

These are serious developments with grave implications for the future of United States-Turkey relations. Turkey will hold senatorial elections in the fall, and one of the sharpest criticisms used by the opposition is the contention that the Demirel government is not strong or swift enough in retaliating against the United States for having imposed the arms embargo. The issue is one of national pride for Turkey, and, although the embargo itself is not hurting her severely yet, it is having the serious effect of driving her into an increasingly hostile and extreme anti-American direction. If present trends continue unchecked, as they surely will as long as the U.S. arms embargo remains intact, moderate political leaders will be eclipsed by radical new forces and one of our closest alliances in the Middle East may well be disrupted.

The consequences of such disruption would be extremely serious, as Turkey's pro-Western posture and our military installations there are at risk. Our embargo is now placing the future of both in jeopardy. Turkey, in addition to being a major military power in the eastern Mediterranean, includes uniquely strategic points for observation of the Soviet Union. There is no doubt that Turkey is of great importance to the national security of the United States.

I realize that even a partial lifting of the embargo is strongly opposed by most Greek-Americans, and I sincerely regret that I cannot vote on this matter as they would like.

However, I am convinced that, in the long run, it is as much in the interest of Greece as it is in the interest of the United States and the rest of NATO that Turkey not turn away from a pro-Western posture. Greece's dispute with Turkey over the Aegean is extremely serious, probably more dangerous even than the

Cyprus problem. Think how much more serious the Aegean problem would become for Greece if Turkey turned away from the West toward the sweet-talking Russians and secured the backing of the Soviets for Turkey's designs on the Aegean.

The importance of Turkey's basic posture is also deeply felt by the Israeli Government. It is greatly concerned by the present impasse and by the possibility that Turkey would abandon its close ties to the United States and the West and turn toward the U.S.S.R. or toward the oil-rich and newly powerful Arab bloc. While the Israeli Government has not felt it could take an official position in the matter, I have every reason to believe the Israelis hope H.R. 8454 will be enacted.

Opponents of this measure assert that Turkey is bluffing. My answer to this argument is twofold. First, I do not believe Turkey is bluffing, for the simple reason that I do not believe any government in Turkey could afford to buckle under to the pressure of a total embargo. Second, even if that is wrong, no one can be sure, and the stakes are too high for us to risk finding out that the Turks are indeed not bluffing.

As has been pointed out by many speakers, H.R. 8454 is not a lifting of the embargo such as was passed by the Senate. This bill is a compromise, for it allows only commercial cash sales and what was previously contracted for to be supplied to Turkey now. Thus it represents an invitation to Turkey to negotiate and compromise in turn. This bill postpones the issue of FMS credit and cash sales until the fall, when we will be considering the entire military aid sales program. This will give Turkey a time in which she can prove her good faith, and will give us an automatic opportunity for a reevaluation of our stand.

This aspect of the bill encompasses a major point of the proposal made by George Ball and Cyrus Vance, in that it mandates a further reconsideration of our position a few months after this initial gesture. However, it does not constitute the kind of a threat which Turkey found intolerable before that is, specifying that the embargo will be reimposed if Turkey makes no conciliatory moves. Incidentally, I understand Mr. Ball has now endorsed H.R. 8454 in its present form.

Let me now comment on the argument that we should retaliate against Turkey's lifting of her internal ban on opium-poppo growing by continuing the embargo. First, let me say that I yield to no one in my hatred of the devastating curse of heroin addiction and in my anger at those despicable persons who enrich themselves by illicitly trafficking in opium and its derivatives.

But Turkey has announced a new determination to stop the illicit trade in opium, as other nations such as India have successfully done. Turkey has introduced new methods of control and a government buying program, as well as adopted laws which severely punish those who violate the new methods. These measures have been approved by the in-

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ternational experts in narcotics control. We cannot now assume that they will fail. It is simply premature for us to decide to punish Turkey on this ground.

Second, even if Turkey's control methods do not prove successful, we have no reason to believe that continuation of the arms embargo will result in Turkey's re-imposition of the earlier poppy growing ban. Indeed, the contrary is the case. If Turkey's anger at what the Turks consider an unfriendly act by a long-time ally produces an unfavorable change in Turkey's foreign policy, one predictable consequence will be a "to-hell-with-you" attitude on opium control as well.

Third, I do not believe that we will ever stop the ghastly flow of heroin to our city streets by attempting to stop the illicit opium trade all over the world. If one source is plugged, another quickly appears to take its place. Southeast Asia is one such source, Mexico is another. I am advised that heroin today is in plentiful supply in New York City, none of it coming from Turkey.

Finally, it has been argued ad nauseam that H.R. 8454 represents an abandonment of principle.

I might be impressed by this argument if the opponents of H.R. 8454 were insisting that all American-supplied arms be removed from Cyprus before any lifting of the ban could take place. But they are not saying that. They are saying "let the Turks do a little something, and then we will ease the embargo." So the argument is not over a matter of principle, nor is it over whether to compromise; it is over the question of when to compromise.

No one can contend that the United States ignored or condoned Turkey's violations. A total embargo for 5 months is a substantial penalty.

Now the question we must answer is whether the United States must, either as a matter of principle or of expediency, extend the penalty indefinitely, at great risk to ourselves, to NATO and, ultimately, to Greece as well.

Mr. BROWN of California. Mr. Chairman, today we are on the threshold of deciding one of the most important foreign policy questions to be entertained by this Government in the immediate post-Vietnam war period. The consequences of our action today will affect not only Turkey and Cyprus, Greece, and our Western alliance, but will have far-reaching implications that will signal the philosophy to which the United States is prepared to adhere in its pursuit and determination of future foreign policy and international relations.

It is thus very important that we fully understand what we will be saying by our vote today. After former ruling Greek military junta engineered a coup against the duly elected President of Cyprus, Archbishop Makarios, Turkey launched a massive invasion of Cyprus. This invasion was accompanied by large-scale air raids, killing thousands of innocent people, and resulted in the flight of over 200,000 Greek Cypriots from their homes in the north. Cyprus, a NATO ally, largely defenseless, was subsequently occupied by Turkish forces. This occupation by Turkey, now 1 full year later, includes

virtual control of the economy and production, as well as the displacement of thousands of Cypriots, now refugees. All of this ravenous occupation occurs under military force.

Our arms, supplied to Turkey for the ostensible purpose of strengthening our Western alliance, have now been used against one of our NATO allies. We are in the precarious position of having supplied arms to one NATO ally who has used them to the ruination, destruction and occupation of another NATO ally. Despite the cries of outrage from other of our allies, as well as the U.N., Turkey has not yielded in its aggression. The intentions of Turkey must now be considered seriously suspect.

Mr. Chairman, I am not unaware of, nor insensitive to, the cogent arguments advanced by those who believe that the United States can proceed in a better negotiating position if we pass this bill. The Congress, and I believe wisely, required the President to suspend all military assistance to Turkey until such time as the President determined that Turkey was in compliance with our laws relating to defense articles supplied by the United States, and until substantial progress had been made towards a settlement with Cyprus. In the absence of such a determination, on February 5 of this year the embargo became effective. We were asserting that the United States would not condone the invasion of one ally by another, that we would not accept the human rights and national sovereignty violations inherent in such an invasion, and that the United States would not be a party, through the supply of arms, to such outrageous aggression. Further, our tradition of freedom and democracy, as well as the lofty ideals of NATO, would not permit us to be associated with such gross violations of democratic principles and blatant aggression. This, I submit, is what we will be explicitly condoning by resuming arms shipments to Turkey, and this I cannot do. Once we establish, openly and forthrightly, and as a matter of public policy, that we will assist in this horror, we will have opened the door that nothing is unacceptable in achieving desired ends. To abandon these principles has, I fear, the gravest consequences for our foreign policy relations and our perception of ourselves as a freedom loving and democratic Nation.

I earnestly urge a defeat of this bill.

Mrs. COLLINS of Illinois. Mr. Chairman, I am strongly opposed to lifting the ban on military aid to Turkey because I feel that to do so will violate existing provisions of American law which prohibit countries receiving American arms from using those arms against our other allies.

Section 505(b) of the Foreign Assistance Act of 1961, as amended, states that—

No Defense articles shall be furnished . . . to any country . . . unless the President determines . . . that such defense articles will be utilized by such country for the maintenance of its own defensive strength, or the defensive strength of the free world; . . .

Thus, when on August 14-17 Turkish military forces launched a major military

assault on Cyprus using American military equipment including tanks, planes, guns, personnel carriers, and landing craft, it clearly violated section 505(b).

Section 4 of the Foreign Military Sales Act states:

Defense articles and defense services shall be sold . . . solely for internal security, for legitimate self-defense, to permit the recipient country to participate in regional or collective arrangements or measures consistent with the Charter of the United Nations . . .

Inasmuch as the American tanks, planes, guns, personnel carriers, and landing craft were delivered to Turkey for NATO purposes only, it is irrefutable that the Turkish invasion of Cyprus was an explicit violation of section 4. And that is not all. Section 3(c) of the Foreign Military Sales Act states that—

Any foreign country which hereafter uses defense articles or defense services furnished under this Act, in substantial violation of any provision of this Act . . . shall be immediately ineligible for further cash sales, credits, or guarantees.

And section 505(d) of the Foreign Assistance Act of 1961 as amended states that—

Any country which hereafter uses defense articles or defense services furnished such country . . . in substantial violation of the provisions of this chapter shall be immediately ineligible for further assistance.

I am sure that my colleagues will agree that Turkey's capture and occupation of 40 percent of the island of Cyprus and 70 percent of the economic wealth; its killing of 5,000 Cypriots; its immobilization of the island economy; and its expulsion of 200,000 Greek Cypriots—all with the use of over 90 percent of the American military equipment—is further evidence that Turkey has indeed violated both of these sections of our law also.

Last week, I listened intently as President Gerald R. Ford, Secretary of State Henry Kissinger and Secretary of Defense James Schlesinger presented persuasive arguments that the U.S. military installations in Turkey are crucial to the well-being of our country.

It is my view that strategic bases in both Turkey and Greece are needed for our internal security and associate myself with the remarks of my distinguished colleague from Michigan, Congressman DONALD W. RIEGLE, JR., who said "bases in one country ought not to be jeopardized for bases in another country."

We must not, therefore, permit ourselves to be browbeaten into breaking our own laws as ransom for U.S. bases abroad and must not jeopardize the well-being of our citizens by setting a precedent that will invite other nations to blackmail the United States over base rights in their countries.

The provisions of this bill are extremely broad. They will: First, allow the immediate sale of all commercial military equipment by the U.S. arms manufacturers to Turkey; second, permit later this year the resumption of all sales by our Government of military goods to Turkey with U.S. taxpayer-paid subsidies—which will provide Turkey with reduced interest rates with which to buy goods either directly or on credit;

third, release immediately all goods—totaling \$175 million in arms and including 24 F-4E aircraft—which Turkey now has under contract with the United States; and fourth, open enormous loopholes in existing laws as well as repeal the cutoff amendment which went into effect on February 5 of this year.

For these reasons, Mr. Chairman, I strongly urge my colleagues to defeat this bill.

Mr. ANNUNZIO. Mr. Chairman, the bill before us today, S. 846, asks us to repeal the ban on military aid to Turkey which Congress imposed on February 5, 1975. That ban was instituted in reaction to the illegal use of American-supplied arms and materiel by Turkey in the Turkish invasion of Cyprus last year. In that invasion over 30,000 Turkish troops equipped with U.S. arms occupied 40 percent of the island and drove 200,000 Greek Cypriots out of their homes. Yet today we are asked to support S. 846 which would condone this illegal invasion and occupation.

There are a number of reasons why we should reject S. 846. First, this country has always believed in the rule of law. Yet, Turkey has clearly violated both U.S. law and bilateral agreements in its actions in Cyprus. The Foreign Assistance Act of 1961 and the Foreign Military Sales Act both state that U.S. military assistance and equipment are to be used only for defensive purposes. The Turkish aggression in Cyprus stands in clear violation of these legal provisions.

If we pass S. 846 we will be sending clear signals to the international community that we are abandoning our long-time insistence on limiting weapons assistance to defensive purposes—an insistence which has been a traditional cornerstone of our foreign policy. Permitting Turkey to receive U.S. arms after employing them in contravention of U.S. law would encourage other nations to misuse U.S. military assistance in a similar manner.

There is nothing in this bill to discourage further Turkish aggression. If we waive existing restrictions on the offensive use of U.S.-supplied arms Turkey could use arms supplied under this bill, as well as arms purchased commercially in the United States, to make further encroachments in Cyprus. Indeed, given the volatile situation in the eastern Mediterranean it is not inconceivable that such arms might be used in an invasion of Greece itself.

Secretary of State Kissinger has argued that this bill is necessary if we are not to lose the bases we have in Turkey. Do we want to be placed in a position of yielding to Turkish blackmail? I, for one, do not. There are over 300 major U.S. installations in other countries. Yielding to such blackmail would place us in an untenable position with those other countries.

Furthermore, Secretary Kissinger's assertion that the Turkish bases are essential for policing the SALT agreements and monitoring Russian missile testing are open to question. Several experts have testified that these bases are only marginally useful in verifying the SALT

agreements, that alternative observation sites and satellites would be more useful, and that the SALT agreements cannot be reasonably used to justify giving arms to Turkey in order to save our bases there.

Some of my fellow members who support this bill argue we should accept it as a "compromise." What kind of compromise is one in which we do not ask that Turkey take positive actions to rectify its illegal depredations in Cyprus in exchange for U.S. arms aid? Obviously this would be no compromise at all. Rather it would represent a caving in by this country which would increase the likelihood that future recipients of American arms would not feel bound by the provisions of the agreements by which they obtained those arms.

Supporters of the bill also argue that the present arms embargo has been ineffective because it has not brought Turkey to the negotiating table over the Cyprus question. The reason that the embargo has been less successful than anticipated is because the Secretary of State and others in the Ford Administration have undermined its credibility by publicly blaming Congress for enforcing this country's laws. Instead of blaming Congress the Ford administration should be exerting the various diplomatic, economic, and military pressures at its command on Turkey which violated the law. It is not surprising that the embargo has not led to quick negotiations since the actions and words of the executive branch have fueled Turkish hopes that Congress would backdown and lift the arms ban without evidence of substantial Turkish progress toward negotiations.

Passage of this bill would also have serious consequences for the fragile new democratic government in Greece. Such an action would indicate a significant American tilt toward Turkey which could undermine the internal stability of the Greek Government, endanger our NATO and 6th Fleet bases there, and threaten the recently revived Greek participation in NATO.

Finally, this question is part of the larger one of restoring Congress' proper role relative to the Executive in the making of foreign policy for this country. In recent years Congress has taken a number of important steps to redress its power imbalance vis-a-vis the Executive and regain its proper constitutional role in foreign policy. As Tom Wicker noted in Tuesday's New York Times:

There is . . . no question that where appropriations must be provided, Congress has a right to set certain terms and conditions—make policy—even in the field of foreign affairs.

The argument of the administration that they must ignore American law in order to protect American interests is one that must be rejected. To accept such an argument would be to reject the rule of law on which this country is based. To accept such an argument would be to acquiesce in the further abdication of congressional prerogatives in the field of foreign affairs. To accept such an argument would be to tell our long-time ally and friend, Greece, that

we will capitulate to Turkish blackmail and turn our backs on "the cradle of democracy."

I hope the United States will never be put in such a position. I urge my colleagues to vote against aggression, against illegality, and against international blackmail by rejecting S. 846.

Mr. EILBERG. Mr. Chairman, I feel compelled to object to the restoration of American arms assistance to Turkey.

I have come to that decision after considering the important issues of our nation's relationship with both Greece and Turkey, their involvement in NATO, the necessity of preserving military installations in both countries, and the need to resolve the impasse on Cyprus.

Also, I have tried to keep in mind that our actions on this issue will affect our policy with respect to the sale of arms to other foreign countries, and equally as important, our actions will affect Congress' role in future foreign affairs decisions.

Recognizing that the United States has a responsibility for international peace and stability commensurate with its capacity to affect external events, the Foreign Assistance Act of 1961 was passed into law. This law was designed to continue supplying military aid to help meet security threats confronting our allies. Our Nation's international security system involving NATO, of which both Greece and Turkey are members, other mutual defense arrangements and military assistance have gone a long way to protect the weak against the ambitions of the strong.

However, the mandate of the Foreign Assistance Act of 1961 is that American arms are not to be used by our allies in aggressive actions. This vital stipulation expressed the moral concern at the Congress about the conduct and consequences of our Nation's foreign policy. It was hoped that the U.S. security assistance program with this fundamental principle behind it would lead to more responsible behavior by our allies.

Today we are asked by the President to resume military sales to Turkey. The administration argues that lifting the embargo is the only way to create a negotiating climate suitable for a Cyprus settlement. The President insists that Turkey will only enter serious negotiations if the Congress lifts the ban on military weapons.

Mr. Chairman, it was with our military assistance that the Turkish forces invaded Cyprus. It is with our arms that the Turks presently occupy 40 percent of Cyprus. It is with our arms that the Turks have murdered and wounded thousands of Greek Cypriots. And it is with our arms that the Turkish army has created a refugee problem mounting to 200,000.

The immediate outlook on Cyprus includes the threat of further Turkish military expansion. In its quest for security, Turkey has become a coercive power on Cyprus.

During the 6-month period between the Turkish invasion of Cyprus in August and the imposition of the arms embargo in February, Turkey did receive American arms aid and yet adamantly

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refused to negotiate compromises with Greece. Even after negotiations had begun Turkey increased its control of territory in Cyprus.

Today, to our knowledge, neither the President nor Congress have received any assurances that Turkish withdrawal from Cyprus would proceed once military aid was renewed.

Mr. Chairman, armed forces are instruments of war; diplomacy is an instrument of peace. It is through diplomacy and not violence that you safeguard one's own vital interest without hurting those of the other side.

By lifting the arms embargo on Turkey the United States will be losing all influence with Turkey to initiate serious peace negotiations. Our arms will permit the Turkish forces to further entrench their position on Cyprus and to further subordinate the Greek majority.

Lifting the embargo at this point would constitute a violation of the Foreign Assistance Act of 1961, which calls for an arms embargo against any nation who uses American arms for aggressive purposes. One of the principles that law communicates is the solemnity of a commitment. Congress has the responsibility of upholding this legal principle even though it has failed to deter Turkey from its aggression.

Such a violation would permanently injure our relationship with Greece. By our failing to thwart the Turkish invasion and by our subsequent failing to honor our legal commitment, Greece may withdraw from NATO. This would mean a serious weakening in our eastern Mediterranean defense system.

Renewing arms aid to Turkey will give the appearance of a weaker ally making decisions for the United States. Turkey has threatened to renegotiate our bases in mid-July unless we lift the arms embargo. Turkey is of strategic value to NATO, but this is hardly the most vital issue. Under these circumstances the United States must not relinquish its freedom of action to a weaker ally which uses its control over our policies for its selfish purposes.

Furthermore, by resuming military assistance the United States will be giving the impression to all countries that they are free to use American arms regardless of the consequences. Such a free hand destroys the usefulness of international diplomacy and thus, makes the outbreak of war more likely. I am fearful that Congress will suffer as a result of lifting the embargo. Congress will be put in the untenable position of condoning countries employing American arms for aggressive purposes. Congress will undo legislation that calls for responsible behavior by our Government in foreign affairs. And lastly, Congress will show that it is unwilling to enforce existing law in spite of White House opposition.

The political scholar Walter Lippmann once wrote:

In the clash of arms the laws are silent. We may add that in the truce of arms the laws are heard.

I strongly believe in that principle and it is for that overriding conviction that I presently oppose the lifting of the arms embargo on Turkey.

Mrs. BURKE of California. Mr. Chairman, I rise in opposition to S. 846, which would lift the congressionally imposed embargo on military assistance to Turkey. Passage of this legislation would violate a fundamental moral and legal principle of U.S. foreign policy—that we supply weapons to other nations for defensive, not aggressive, purposes.

Seven months ago, Congress defined American policy on this issue when it imposed the embargo, which suspended military assistance and sales to Turkey until substantial progress had been made toward a settlement of the Cyprus issue. The challenge before us today is to prove that we have the strength of our convictions—that we will not submit to the international blackmail evidenced by Turkey's threat to deprive us of our military and intelligence bases.

Rather than stand up to this threat, our own President asks us to compromise—as he calls it—with the Turks. Mr. Chairman, I fail to see any compromise in this bill. Capitulation, yes. Compromise, no. Under this legislation, Turkey would be able to buy arms from the United States, but is required to do nothing about the Cyprus problem in return for those arms.

Without requiring action by Turkey to remedy the Cyprus situation, the United States weakens its moral stance and condones clear violations of U.S. law and bilateral agreements between the United States and Turkey under which Turkey received the arms in question. Both the Foreign Assistance Act and the Foreign Military Sales Act contain provisions prohibiting the use, for aggressive purposes, of arms supplied by the United States. Furthermore, both laws mandate an immediate cutoff in further arms shipments to any country violating these provisions.

Dr. Kissinger has attempted to persuade us that our military bases in Turkey are more important than American relations with Greece. Yet, ironically, when the military junta was imposing a dictatorship on Greece, the argument was that Greek bases were of vital importance to NATO and the United States. Mr. Chairman, this kind of political expediency fools no one and only serves to undermine our international credibility. Authorizing the sale of arms to Turkey under these conditions simply encourages other nations buying or receiving U.S. arms to use them without the restraints we profess to impose by law.

With regard to our bases, it is argued that loss of the bases would impair our ability to carry out our NATO responsibilities and would deny the United States the use of valuable intelligence installations which serve our defense needs. The irony of this argument is that Turkey does not need an embargo to justify depriving us of our bases. Any political excuse will do. What, for example, is to prevent Turkey's uttering the same threat, should we refuse to continue paying them not to grow opium poppies on the ground that Turkey has violated its part of the bargain? Furthermore, if we back down on the issue of the bases, we are inviting other countries to hold hostage 300 major U.S. bases overseas.

The administration further attempts to persuade us that the purpose of the embargo, which has been in force for 5 months, has not been achieved. Its intent is to influence Turkey to seek a meaningful settlement of the Cyprus situation and to encourage Turkey to withdraw troops and U.S.-furnished defense articles from the island. What this argument does not take into consideration is the fact that, since its inception, the embargo has been undermined publicly and privately by the Ford administration. Six days after the embargo took effect on February 5, the administration had a resolution of repeal introduced into the Congress. This action operated as a clear signal to Turkey that foreign policy was divided in this country and that the embargo might be lifted. Therefore, there was no need for Turkey to seek a settlement with Greece.

We are also accused of undermining Turkey's ability to fulfill its NATO responsibilities, thus weakening NATO's strength in the Mediterranean. This is indeed a strange argument in light of Turkey's contention that NATO and Cyprus are separate issues. So long as Turkey makes any progress on the Cyprus issue contingent on our lifting the embargo, Turkey itself is directly connecting the two issues. Furthermore, should Turkey gain the military assistance it desires, what assurances does Greece have of Turkey's alleged willingness to negotiate? The answer, Mr. Chairman, is that there are no assurances whatsoever. On the contrary, Turkey's ability to wage war would be increased considerably. Under these conditions, how, in good conscience, can this Nation profess to advocate peace on the one hand while supplying the machinery of war with the other? The logic of this position frankly escapes me. Certainly, it deserves decisive rejection by this body.

Only by making it as difficult as possible for the two sides to wage war can we hope to see some negotiated settlement rise out of the ashes of conflict. Today, only Congress has the lawful power to clarify U.S. policy in this controversy. It is a challenge we cannot and must not reject.

Mr. Chairman, I wish to conclude my remarks by offering this thought: The essence of politics may be compromise, but principle must be at the heart of any meaningful international order. The nation which continually compromises those principles it professes to hold dear will one day find itself minus any principles at all. A nation without principles cannot hope to sustain its own existence, much less lead other nations toward a peaceful world order.

Mr. FOUNTAIN. Mr. Chairman, I rise in support of S. 846 as amended by the Committee on International Relations.

I speak as one who voted for the Rosenthal amendment to the Foreign Assistance Act of 1974 which embargoed all shipments of U.S. military equipment to Turkey.

I voted in favor of imposing the embargo at that time for two reasons.

First, I firmly believe that recipient countries should use U.S.-furnished military supplies only for defensive purposes and not for aggression. Clearly, in the

case of the Turkish invasion of Cyprus, American arms were used by Turkish forces in an aggressive act. This action by Turkey violated an agreement between the United States and Turkey and, had we continued to furnish arms to Turkey during the invasion, we would have broken our own laws.

Second, I sincerely hoped and expected that the embargo would induce the Turkish Government to enter into productive negotiations with Greece and the Government of Cyprus for a peaceful and equitable settlement of the conflict.

What has happened since the embargo became effective on February 5 this year? In short, no progress has been achieved. To the contrary, the denial of military supplies to Turkey has severely limited our ability to promote a peaceful solution to the conflict. In place of negotiations, the plight of the refugees on Cyprus has been prolonged, the southeastern flank of NATO has been weakened, and continued U.S. access to bases in Turkey which are vital to our security is endangered.

What, then, can the Congress do to resolve this impasse?

In seeking possible legislative solutions to the deadlock between Greece and Turkey over the Cyprus issue, three criteria should be met.

First, such legislation should not violate our principles and laws by furnishing military equipment which will be used, without sanction, by the recipient country for aggressive purposes.

Second, it should not encourage other countries to blackmail us by holding U.S. access to military bases hostage to inflated and unreasonable demands for military and economic assistance.

Third, it should be evenhanded with respect to all parties to the conflict.

Mr. Chairman, in my judgment that S. 846, as amended, meets these criteria and offers a reasonable chance to move negotiations forward.

With respect to the first criterion, I would like to reemphasize those sanctions in the bill against misuse of American supplied equipment which the distinguished chairman of the committee has already cited. The partial relaxation of the embargo will apply only if Turkey—

Does not break the cease-fire;

Does not send more forces to Cyprus; and

Does not send any more U.S. military equipment to Cyprus.

If Turkey violates any one of these provisions, the full embargo would be reimposed immediately.

With respect to the blackmail issue, it should be recognized that the provisions of S. 846 are not based on a quid pro quo of U.S. military assistance to Turkey solely in return for continued U.S. access to bases there. Rather, the bill is based on a step-by-step approach which will give Congress an opportunity to judge future Turkish actions with regard to the Cyprus issue.

Finally, the bill is evenhanded in its provisions. It recognizes that the United States has important security interests in Greece as well as in Turkey and it provides for further assistance to the refugees on Cyprus.

Mr. Chairman, in the interest of bringing about peace on Cyprus, in the interest of the refugees, in the interest of NATO, and in the interest of our own national security, I urge that we take the first step toward breaking the current deadlock by adopting S. 846.

Mr. HANLEY. Mr. Chairman, in good conscience, and after a very difficult period of study and reflection, I cannot support S. 846, a bill to provide for resumption of shipments of arms from the United States to Turkey.

I have listened carefully and long to the President, the Secretary of State and other State Department officials, and I cannot agree at all that the resumption of arms shipments to Turkey is in the best interests of the United States.

Turkey has invaded Cyprus, and Turkey is in the process of consolidating its hold on 40 percent of that nation. The refusal of the United States to ship arms to Turkey under these circumstances is right and proper. Nothing has changed in my judgment, to warrant resumption. The State Department offers no assurances that arms shipments are going to bring about a better climate for a negotiated settlement of the Cyprus situation.

It is wrong for the United States to acquiesce in or reward armed aggression by our friends or enemies. I regret my inability to support the President on this measure, but there is no change in the situation.

Moreover, the climate for bending over backwards to offer a gesture to Turkey is clouded by that country's decision to resume its opium poppy crop. It will not be long now before heroin from that crop enters American cities and the bodies of thousands of our citizens. This country worked hard for an agreement and appropriate payments to Turkey to cease growing opium poppies. That agreement stands broken, as does the agreement that American military weapons would not be used to support armed aggression.

Under the circumstances, I see no choice but to vote against this measure before us today. To approve the resumption of arms shipments to Turkey is to signal other arms recipients that they can ignore with impunity the agreement not to engage in wars of aggression with American supplied weapons.

To support this measure is to openly approve of the Turkish invasion of Cyprus, and this I cannot do.

Mr. HAGEDORN. Mr. Chairman the question of U.S. aid to Turkey which is before us today requires close attention to the facts by every Member of Congress.

Turkey is a vital ally of the United States, and a strong member of the North Atlantic Treaty Organization. Her modern army numbers 460,000, making it second only to ours among the NATO nations.

As part of NATO, Turkey has consistently supported American foreign policy, and helped restrain the Communists in Europe. Her troops and government still participate in NATO, and support its goals. Turkey is the only nation with a navy opposing the Soviets in the Black Sea.

A strong American ally, Turkey has allowed highly classified U.S. military facilities on her soil with the inherent threat of a strike from the Soviet Union, her bordering neighbor. Turkey has steadfastly ignored Soviet protests and pressures over these secret installations.

Greece is also a part of NATO, but has withdrawn her forces from the organization, and contemplates a total end to her NATO involvement.

Late last year, Congress sought to resolve the impasse over the island of Cyprus, which had been largely occupied by Turkish troops seeking to protect the minority Turkish Cypriots from control by the Greek colonels then in power. In its zeal to bring about a speedy return to Cypriot normalcy, Congress ordered the unfortunate cutoff of arms to Turkey.

This cutoff extends to all arms bound for Turkey, including those duly purchased by the Turkish Government. The Turks must now pay storage fees to U.S. firms because they cannot ship the arms and supplies out of the United States. It must be clearly understood that these goods, which are now impounded, were not grants in aid, but valid purchases negotiated by the Turkish Government in good faith with U.S. firms.

Instead of increasing the opportunity for peace, this action has led to widespread discontent among the Turkish people who have long withstood external criticism and remained our firm allies. Now they see their ally leaving their army without resupply requirements under the aegis of "pressure for peace."

The Turkish people recall Turkey stood by us in Korea, and lost many hundreds of their men in that war.

They recall Turkey never tried to force us to leave Vietnam by withholding their support for NATO or U.S. facilities.

They recall Turkey has not attempted to extort outrageous sums in return for friendship and military bases.

What are they to think about their friend, the United States?

There is no precedent for this situation, and the time to rectify this well intended, but most unwise condition, is upon us.

Mr. Chairman, I shall support the plan of the Committee on International Relations, and call upon my colleagues to consider the contributions this solid ally has made toward international security and in favor of the mutual defense of the NATO Alliance before making their decision.

Mr. MURTHA. Mr. Chairman. I vote for this compromise reluctantly, but with the hope that it will generate a just solution between Greece and Turkey.

Up to this point, there have been no serious negotiations. The 100,000 refugees are still in tents and living under dire circumstances. Their future is of grave concern to me.

I have had the privilege of recently meeting with 12 of the most influential Greek Americans in the congressional district. They may not all agree with my position, but they suggested that I should do what I think is in the best interests of the United States. After listening to President Ford and the ex-



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tensive debate on the floor of the House, it is my opinion that the U.S. bases in Turkey are extremely important to the strategic defense of the United States. It is also clear these bases are in jeopardy if some action is not taken.

Former President John F. Kennedy once said:

The purpose of foreign policy is not to provide an outlet for our own sentiments of hope or indignation; it is to shape real events in a real world.

I, therefore, with great hope, vote for a compromise which I hope will cause realistic and meaningful negotiations which will liberate the refugees and settle the Cyprus situation as quickly as possible. I believe it is the best way to shape the very real events we face in the real world, without losing sight of America's long-range goals of humanitarian and legal concern for the rights of Greek citizens, peace in the area, and friendly relations for the United States with both nations.

Mr. FORD of Michigan. Mr. Chairman, about this time last year, we witnessed the brutal invasion of Cyprus by Turkey—an act of aggression that has resulted in the occupation of 40 percent of Cyprus by Turkish troops, the creation of 200,000 refugees—about a third of the island's population—and the killing and wounding of thousands of innocent people.

The death and destruction wrought by the Turks on that small peaceful island was carried out with American arms and ammunition which were supplied to Turkey for defensive purposes.

Turkey's use of those weapons was a direct violation of the Foreign Assistance Act of 1961 and the Foreign Military Sales Act which require immediate suspension of aid to countries that use U.S.-supplied arms for aggressive purposes.

After the Cyprus invasion last summer Congress gave the administration time to execute the law, and after it failed to do so, we voted to cut off all military aid despite the intense opposition of the President, Secretary Kissinger and others in the administration.

Since the arms embargo became effective, Members of Congress have urged the administration to seek a negotiated settlement on Cyprus, but these requests have gone unheard. Instead of trying to negotiate a settlement with Turkey, it seems the administration has directed its efforts to reverse the arms embargo enacted by Congress. Had the administration concentrated on pressing the Turks for a settlement rather than attacking the Congress, we may have had a settlement on the issue by now. But the administration's action has only made the Turks more stubborn.

For us to reverse our decision, as the administration proposes, would be a violation of one of the basic principles of our foreign policy—that U.S. weapons are supplied to other countries for defensive, not aggressive, purposes. If this body reinstates military aid to Turkey, which I pray it does not, we will have compromised our own deep rooted principles and set a dangerous precedent in the eyes of the world.

I urge my colleagues from both sides of the aisle to vote against resumption of military aid to Turkey until a reasonable settlement is reached between Turkey and Cyprus.

Mr. ANDERSON of California. Mr. Chairman, one of the most difficult positions a nation can face in foreign policy arises when two of its allies suddenly engage in conflict. This is the situation the United States faces on the island of Cyprus.

We are asked today to resume military aid to Turkey, while that nation still refuses to withdraw from Cypriot territory. I believe the history of this episode leaves us with little choice over which path to take.

At this time, I believe it would be a grave mistake to supply the Turkish Army with additional U.S. weapons.

Slightly over a year ago, Turkish forces invaded the island of Cyprus following the overthrow of the Cypriot government, ostensibly to protect Turkish Cypriots from the revolutionary junta which had seized power. As a result of those events, the junta failed to maintain control of the government.

The Greek Government renounced the efforts of some extremists to take over Cyprus, and requested that the Turkish Army leave the island. Instead, those forces expanded their control and refused to leave.

Now, a year later, the Turkish Government still maintains its military presence in Cyprus. Huge portions of the island's population, both Greek and Turkish, have been forced to live as refugees, unable to return to their homes.

Turkey, in attacking a fellow ally of the United States with arms supplied by the United States, violated the agreements under which such military aid is made available. Thus, we had little alternative but to cease our military assistance to Turkey until that nation agreed to leave Cyprus in peace.

Turkey got away with threatening Greece, and with dominating the defenseless island of Cyprus. Apparently these successes emboldened that nation, because they are now trying to use the same tactics against the United States.

Instead of promises of a settlement on Cyprus, Turkey has responded by threatening to close down U.S. military bases in her territories.

Instead of peaceful withdrawal, Turkey has violated an earlier agreement with our Government and resumed the cultivation of opium poppies—the fruit of which will inevitably wind up in the streets of our cities, adding further to our own problems in drug control.

Instead of trying to heal the wounds caused by the unfortunate events of last year, Turkey has apparently decided to maintain its militant posture, and threatens to end its alliance with the United States unless we resume military aid.

Mr. Chairman, we cannot bow to threats, even from our own allies.

The bill before us today has been touted as a "compromise measure" by the State Department. Is it a compromise between Greek and Turkish interests? I think not.

This measure is a compromise only in the sense that it appears to be the only way the administration can gain its desire to rearm a nation that has violated its agreements with the United States—and has shown no intention of ending those violations.

This is no longer a "Greek against Turk" issue.

It is not something just opposed by the "Greek Lobby," whatever that is.

The only thing that is compromised by this bill is the integrity and strength of will of the Government of the United States.

And for those reasons, I urge my colleagues to oppose S. 846. Supplying weapons to Turkey will not bring that nation to the conference table—and that is where this dispute must be settled.

Mr. PEPPER. Mr. Chairman, I stated my views and opposition to this resolution when it was before the Rules Committee and I voted against reporting it out of the Rules Committee day before yesterday, the 22d. I think it is hurtful to the prestige and contrary to the interest of the United States to adopt this resolution lifting the arms embargo against Turkey.

That embargo imposed a few months ago was required by the admitted fact that the Turks sent to Cyprus and used in aggressive action their arms, weapons, and instruments of war which had been furnished to Turkey by the United States for use in the discharge of its functions as a member of NATO, in violation of the military sales law which forbade the use of such instruments of war except for the purpose for which they were delivered, namely, in furtherance of Turkish obligations under NATO. Those facts remain the facts today. Nothing has changed those facts.

If the indirect effect intended by the embargo when it was imposed was to induce Turkey to come to some reconciliation in respect to the dispute between the Greeks and Turks of the Island of Cyprus and the Greek Government and the Turkish Government, then no progress has been made toward the settlement of that dispute. Turkey has done absolutely nothing toward reaching a peaceful settlement of the dispute. The Turks occupied Cyprus using American instruments of war furnished to her as a NATO power only, pressed on into the Isle of Cyprus until it occupied 40 percent of that island—the best part of the island economically. In doing so it dispossessed 200,000 refugees of their homes. They are still dispossessed—still not allowed to return to their homes.

So what is the justification for asking us to lift the embargo. Do the Turks ask us to allow them to be an exception to the Military Sales Law and to be permitted to use the weapons which we furnish for NATO purposes for any purposes for which they may wish to use them—aggressive or otherwise. If they be such an exception, will all the other countries who are subject to the prohibition of the same law ask us that they respectively be made a similar exception. Remember that we sell about \$9 billion worth of arms a year and we sell to a

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great many purchasers. To make this exception would destroy the wise prohibition in the military sales law.

The only other reason given for this resolution is that the Turks have indicated that if we do not lift the embargo they may take away from us the bases—two of which are important—which we have in Turkey which serve the purposes of NATO, enabling us to gain valuable information about military activities of the Russians. But Turkey is a member of NATO and the function of those two bases is important to the security of Turkey—even more important—than it is to the security of the United States. Moreover, Dr. Kissinger made recently what was considered a very timely statement in Atlanta when he said any nation that did not want to have an agreement with us was at liberty not to have such an agreement—that if our agreement with them did not serve their interest as well as ours and they wanted to terminate it they could do so. Now, Dr. Kissinger seems to be retreating from his brave and proper position and making this great country yield a matter of law and, I think, a matter of honor, to the pressure Turkey is now imposing—a threat to take away some of their bases which we use with them for NATO purposes.

I want to make it clear, Mr. Chairman, those of us who oppose this resolution are not antagonistic toward Turkey. We do not approve of all the Turks have done or are doing but they are strong, brave people. They are a good ally for us to have, especially strategically located as they are. But they have no right to ask of us what others similarly situated would have no right to ask. Those of us who oppose this resolution are standing firmly by two principles:

First. Respect for the provisions of the military sales law.

Second. That the United States should not under threat from a nation with whom it has an agreement respecting the mutual security of that country and ourselves, ignore clear violations of our law, a just and wise law, by that country.

So, Mr. Chairman, believing that it is the right course to pursue as a matter of conscience and in the interest of the United States, I shall vote against this resolution and hope it will not be approved by this House.

Mr. CLEVELAND. Mr. Chairman, I will support S. 846, the compromise measure to release a limited amount of military equipment to Turkey in accordance with earlier agreements between that country and the United States. I do so not out of any desire to show favoritism to one ally of our country over another. In fact, I feel that it is imperative for the United States to be evenhanded in its conduct of foreign policy with respect to nations with whom we are friendly or allied.

This bill represents an attempt to demonstrate that kind of balanced approach to the unfortunate and emotionally charged situation which has produced such discord among Mediterranean nations. It is a reasonable piece of legislation dealing with a complex situation at a difficult time, designed to

demonstrate to both Turkey and Greece that the United States does not wish to take sides in disputes between these countries or to take actions which will work to the advantage of one country or to the detriment of another. S. 846 provides for the delivery to Turkey of arms which were contracted for prior to the embargo which began in February of 1975, most of which have already been paid for. It proposes new military and economic assistance to Greece and additional humanitarian aid to Cyprus.

What this bill does not do is authorize new military assistance to Turkey without further congressional action. This provision is a particularly sensible one since it will give the United States time to evaluate the Turkish reaction to the lifting of our February embargo and to further examine the attitudes of all parties to the Cyprus difficulties. It also shows Turkey that by lifting our embargo, the Congress is not giving that country a green light to use these arms in any manner it wishes nor to act contrary to the interests of peace and reconciliation in the Mediterranean.

It is in the best interests of all countries involved in this difficult situation to take positive steps toward a peaceful, lasting solution to the Cyprus dispute. An evenhanded U.S. policy toward the principal antagonists, Turkey and Greece, is particularly necessary, not only for a resolution of this particular disagreement, but also for the strengthening of the NATO alliance and the security of the free world by maintaining U.S. access to very important military bases.

Finally, and not least of all, this bill preserves the integrity of congressional action to oversee an ally's use of U.S.-supplied arms, a principle for which I have spoken in the past. On October 15, 1974, when the House considered President Ford's veto of House Joint Resolution 1131 which mandated an immediate cutoff of military aid to Turkey, I offered the following remarks as part of my justification for voting to uphold the veto:

While I firmly believe that the Congress should reassert its constitutional responsibility in the making of overall foreign policy, much of which has been abdicated to the Executive in recent years, I do not wish to see us overreact in the opposite direction—that of Congress dictating absolute terms for negotiating foreign policy to the Executive.

It is clear from the experience of the past 6 months that the arms cutoff which was intended to influence Turkey in the Cyprus negotiations had no such results. Thus, it is my concern that if we fail to pass this legislation, we will not only continue to harm Cyprus, but will pose grave risks to the security and stability of the entire eastern Mediterranean.

I urge my colleagues to support S. 846.

Mr. GUDE. Mr. Chairman, I do not intend to lengthen the debate at this point by going into great detail on the nature of the Cyprus problem, its genesis, who is responsible for it and other such questions. These are primarily for historians and students of international relations. What is important now is the

answer to the problem, and it is toward a viable solution that our efforts must be directed. I do not have that solution, and I doubt that any of my colleagues here have it either. Nor should we have it. Any credible and lasting resolution of the situation on Cyprus can only be one developed and agreed to by those involved—Greece and Turkey and Greek and Turkish Cypriots. It is possible to say with certainty, however, that any solution will inevitably be a compromise. Partisans of both sides in this country should also keep this in mind. Compromise invariably lies somewhere between extremes, and while American policy must be that of justice, it must also be that of peace and compromise, a policy which is neither vengeful nor judgmental.

The question for us today is what policy will help achieve compromise and peace. It is my judgment at this point, that removing the embargo will not help to accomplish that objective. On the contrary, it will serve to justify and sustain all that has happened in the past year, and it will harden the Turkish resolve to impose their own solution on the island rather than to seek to negotiate one.

The administration has suggested that a lifting of the embargo will produce a conciliatory response in Turkey which will unfreeze the situation and lead to a satisfactory resolution. The administration's suggestions, however, must be based on firmer evidence to be convincing. Moreover, the fact remains—and this has never been refuted—the law was broken. Further, it is still being broken, as Turkey continues its use of American-supplied weapons on Cyprus. Not only was the law broken, but an American response was withheld for some 6 months, more than enough time for conciliation had anyone wished to try that approach. At this point I believe it appropriate that the initial gesture come from Turkey. Once made, I am confident that the Congress will reciprocate with a lifting of the embargo. It view of the legal aspects of this question, I believe this would be a more appropriate course of events and one which would more effectively insure that negotiations would take place and that a compromise would occur.

Mr. MAGUIRE. Mr. Chairman, I rise in opposition to restoring arms aid to Turkey.

A little over 1 year ago, tragedy struck the island of Cyprus. Today that tragedy continues. There are nearly 200,000 refugees on the island and the Cypriot economy lies in ruin. Forty percent of the island remains occupied by the military forces of Turkey. We have seen no progress in negotiations. Against this background President Ford is now asking us to resume arms support to Turkey. What Mr. Ford should instead be asking for is more aid to alleviate the human suffering being endured by so many on Cyprus, together with assurances from Turkey as to what positive steps Turkey is prepared to take to resolve equitably and satisfactorily the Cyprus issue.

Mr. Chairman, there is yet another is-

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sue at stake here today. In enacting the Foreign Assistance Act and the Foreign Military Sales Act, Congress prohibited arms provided to a foreign nation, either by grant or direct sale, from being used for purposes of aggression. Turkey violated the terms of our agreements with them and the Congress responded properly by placing an embargo on arms shipments to Turkey. We must not today abandon the principles embodied in these laws and agreements by reversing our policy on the embargo on shipments of weapons to Turkey in the absence of any conciliatory move on Turkey's part.

Should Congress choose not to continue the embargo, the consequences could be serious, both for Cyprus and for national and international security. Billions of dollars worth of arms are distributed each year by our country. Any present or future restrictions on the use of this materiel would be rendered all but meaningless. It is imperative that other nations recognize that violations of the terms by which the arms were provided are intolerable and carry the gravest of consequences.

The eastern Mediterranean has become a potential flash point of international tension, threatening both the peoples of the region and the world at large. This is further exacerbated by the volatile situation in the Middle East. For these reasons, coupled with Turkey's violation of law regarding use of our arms and the apparent lack of any positive efforts on Turkey's part to seek a peaceful, negotiated solution to the Cyprus problem, I regard renewed arms aid to Turkey as contrary to the national interest.

Mr. ASHLEY. Mr. Chairman, it is only after real soul searching that I have decided to vote for S. 846 and I will do so because on balance I believe the approach it takes is in the best interests of the United States.

Let me say that I cast this vote with reluctance because of my deep personal bond of friendship for many in my community who strongly and urgently take the opposite view, with reservations because I cannot say with certainty—any more than any one else can—that future events will bear out my perception of the national interest.

In all truth, there is no assurance that a partial lifting of the arms ban against Turkey will promote positive negotiations for a prompt and equitable settlement of the Cyprus issue. Nor is there any assurance that a continuation of the ban will help achieve this end. Events of the last 5 months would seem to offer evidence to the contrary. Faced with the uncertainties of both of these policy alternatives, my judgment is that a partial lifting of the ban—under very restrictive conditions—offers the best hope of prompting a just settlement of the cruel and dangerous situation on Cyprus.

But this is not the only issue involved. Just as France and Greece itself have acted to sharply curtail their participation in NATO, so Turkey is threatening to reduce their NATO commitment and to insist on the removal of key U.S. intelligence facilities from their key locations in Turkey across from the Soviet border.

The security of the United States is very much involved here—as, indeed, are the security of Greece, Turkey and Cyprus. The southern flank of NATO is of enormous strategic importance which cannot be discounted, regardless of our disposition toward one or the other of the allies who occupy this area. Our primary responsibility must be to assure the security of the United States and the other nations which comprise this vital defense organization.

Mr. Chairman, I voted for the imposition of the arms embargo against Turkey because I was offended and outraged by the precipitate military invasion of Cyprus by Turkey following the overthrow of the Cypriot Government at the instigation of the then Greek dictatorship. I do not now favor a complete lifting of this embargo—only a very limited resumption of arms purchased and largely paid for by Turkey prior to February 5, 1975. And I favor this limited resumption only with the certain knowledge that in less than 90 days the Congress will have a full opportunity, when the Military Sales Act is before us, to review developments, particularly the status of negotiations with respect to Cyprus.

Again, Mr. Chairman, this is perhaps the most difficult vote that I have cast since coming to Congress more than 20 years ago. But I must vote my conscience on the basis of my perception of the national interest, on the basis of bringing relief to the 180,000 refugees on Cyprus and restoring stability there, and on the basis of preventing complete disintegration in the relationship between Greece and Turkey.

Mr. HELSTOSKI. Mr. Chairman, as the House prepares to decide whether or not to lift the embargo on military sales to Turkey, a fundamental point of U.S. foreign policy necessarily comes into question. In both the Foreign Assistance Act of 1961 and, more recently, the Foreign Military Sales Act, the Congress has clearly provided that the sale of U.S. arms to foreign nations is contingent upon their use for defensive purposes only. The language of these laws is quite explicit; the Military Sales Act states that—

Defense articles and defense services shall be sold . . . solely for internal security, for legitimate self-defense, to permit the recipient country to participate in regional or collective arrangements or measures consistent with the Charter of the United Nations. . . .

The question thus raised is, will the United States now simply accept Turkey's blatant violation of our restrictions on the use of our arms, or will we refuse to resume this cooperation with that country until such time as the provisions of the agreement are respected?

The actions of the 30,000 Turkish troops now occupying Cyprus, carried out through the use of plentiful American equipment, are hardly worthy of our support. The economy of the island is being destroyed, as the Turkish-controlled northern sector, which comprises 40 percent of the total land mass of Cyprus and includes 65 percent of the cultivable, produced 80 percent of the

island's industrial and farm products and accounted for 70 percent of the gross national product. Vandalism, murder, rape, and torture have become commonplace, while 180,000 Greek Cypriots have been made refugees. The Turks continue to exile Greeks from the land gained in last year's invasion, replacing them with their own people. Terrorism and the destruction of a way of life have resulted because U.S. arms were used for offensive purposes instead of "legitimate self-defense." If we now accept this violation of our laws and allow Turkey to complete her purchases of American arms, we will set a dangerous precedent for our foreign military sales throughout the world.

Supporters of the bill to end the embargo, H.R. 8454, have voiced their concern that by continuing our present policy we may alienate Turkey, weakening NATO and threatening agreements governing U.S. bases in that nation. What is being overlooked in the face of Turkish threats about these installations, is the importance of Greece in NATO and our bases, especially at Souda Bay in Crete, upon which the operations of the 6th Fleet depend. Greece has proved herself a valuable ally in the past, and deserves the same consideration as accorded Turkey; giving Turkey a free hand in the use of American war materials is clearly not in the best interests of Greece. We must be careful not to weaken our alliance with Greece in an overzealous effort to please Turkey. Both nations are essential to an effective NATO alliance.

The occupation of Cyprus by Turkish force and the atrocities being committed against the Greek Cypriots must end before we can consider resuming military sales to Turkey. Only through such a firm stand can we be sure that recipients of American arms will not be so fast to ignore U.S. restrictions in the future. At this point in the Record I include the following:

[From the CONGRESSIONAL RECORD, July 15, 1975]

## FIRST ANNIVERSARY OF THE TURKISH INVASION

Mr. HELSTOSKI. Mr. Speaker, July 20, 1975, will mark the first anniversary of the Turkish invasion of Cyprus. A full year has passed and the crisis in the eastern Mediterranean still lingers on. Suppressed under a Turkish occupation force that controls nearly half of the island, Cyprus is still capable of touching off a war between Greece and Turkey.

Since the invasion, brutal atrocities aimed at the Greek Cypriots have occurred throughout the island. The Turks have repeatedly inflicted immeasurable suffering on these citizens to the point of being able to make a reasonable comparison with the savage and violent inhumane crimes of the Second World War. Their takeover has affected all aspects of the Cypriots' lives from the economic stability of the island to the education of both high school and elementary students. Vandalism, rape, torture, and murder are among the tales of horror that occur each day as the heavily armed Turks move through Greek Cypriot mountain villages.

I have strongly opposed the aggressive action and unjustifiable behavior of the Turkish Government and occupying forces. I



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therefore call upon my colleagues in Congress to oppose all measures that will lift the ban on U.S. military assistance to Turkey until such time as Turkish forces are withdrawn from Cyprus and there is a negotiated settlement by both Greek and Turkish Cypriots.

Mr. OTTINGER. Mr. Chairman, I have decided to vote against this resolution lifting the embargo on our military sales and aid to Turkey after much soul searching.

What most persuaded me was concern about undermining the Caramilis government in Greece. It seems to me the administration has acted very badly and against the U.S. interests in Greece over the recent past. We instantaneously recognized the Greek military junta and continued actions which boosted their authenticity despite continued repressive actions on their part against the Greek people. We stood by in incredible silence as the Greek junta attempted to overthrow the Cyprus Government and assassinate Archbishop Makarios. Then, upon the failure of that plot and restoration of democratic government in Greece, we turn our backs on the Greeks, do nothing to assist a resolution of the desperate situation of the Greek refugees on Cyprus, and now proposed to resume military aid to Turkey despite the fact that the Turks have neither made nor promised any progress on Cyprus negotiations. I greatly feared that passage of this resolution might endanger the Greek democratic regime.

Also, I have a great distaste for yielding to Turkish blackmail efforts, threatening to kick us out of our military bases in Turkey if we did not resume aid without conditions. Yielding to these threats would have provoked similar threats throughout the world.

Lastly, resuming military aid to Turkey without any Turkish concessions on Cyprus would serve to undermine the credibility of the important conditions we attach to our sales of military equipment around the world. If we let Turkey off with just a slap on the wrist, no other country would take these limitations seriously.

I was singularly unimpressed by the national security arguments put forward by Secretary of Defense Schlesinger and felt he once again badly misled us. Certainly his claim that we need a military installation on the Bosphorus Canal to be able to tell what Russian ships are passing through and what they are carrying is ludicrous. I have been there. The Bosphorus is so narrow that anyone can make these identifications from the shore without the necessity for any formal facility. Similarly, the other installations he described as essential defy credibility. Though they may be more convenient, the satellite pictures I have seen, so sharp you can read license plates on automobiles, certainly can provide the intelligence we need, and I understand there are other land-based facilities that can be used as well. This argument also neglects the importance of our Greek military installations that might have been jeopardized had we resumed arms to Turkey.

Indeed, one persuasive factor in making my decision was the lack of candor

with which I felt we were treated by both Secretary Schlesinger and Secretary Kissinger on this subject.

In the last analysis, the Turks clearly violated the conditions of our provisions of arms to them. They invaded and occupied 40 percent of Cyprus using our weapons illegally and have grossly abused the Greek Cypriots since their occupation. They have been totally intransigent about settling the Cyprus dispute on any reasonable and acceptable basis. Under these conditions, and subject to the unconscionable threats to which they have subjected us, I just do not see adequate reason to reward this conduct in any way.

Furthermore, the relief offered in order to persuade the Turks to negotiate was totally open-ended in this legislation. Cash and credit sales were to be resumed without limit, the latter only subject to veto if in that act we were to decide to impose another embargo. This, it seems to me, represents serious overreaching by the administration, which appears in all cases to prefer peddling arms to any other diplomatic consideration. Indeed, our whole foreign policy seems based on provision of arms and nuclear sabre rattling, a matter which deeply disturbs me.

All in all, this seems to me to be a bill too fraught with inadequacies and dangers to be worthy of support on the outside chance it might induce Turkey to move toward meaningful Cyprus negotiations.

Mr. WRIGHT. Mr. Chairman, I voted on each of the occasions when the matter was before us previously to place a ban upon the sale of further military implements to the Government of Turkey. I did this because I felt very strongly that the Government of Turkey, under its previous administration, had clearly violated the terms of our military agreement by invading Cyprus.

While it unquestionably can be argued that the previous Government of Greece, under the military junta, also had violated these agreements by its invasion of Cyprus, this did not in my opinion justify our simply abandoning our long-standing policy of insisting that U.S.-supplied military equipment be used only for defensive purposes. This is the very cornerstone of our policy.

Subsequent events and the very urgent pleading of both the President and the Secretary of State have caused me to examine the present bill very carefully, and I believe it now may be timely to permit the limited and tentative resumption of our agreement with Turkey based upon the assurances and guarantees contained in this bill.

Since both Greece and Turkey have undergone changes in their governing administrations since the outbreak of hostilities on Cyprus, and since a settlement of the Cyprus dispute obviously has not been assisted by the hostile attitude which has developed between the United States and Turkey, I think it possible that a tentative relaxation of our total embargo conceivably might be productive of a peaceful settlement. Clearly our President and the Secretary of State believe that it could be.

At the same time, I want to make it absolutely clear that I am voting for this legislation only upon the guarantees contained in sections 2 and 3 of the bill before us.

Specifically, I am relying upon the absolute compliance with the language beginning on line 15 of page 2, as follows:

*Provided*, That such authorization shall be effective only while Turkey shall observe the ceasefire and shall neither increase its forces on Cyprus nor transfer to Cyprus any United States supplied implements of war.

Further, in connection with any Presidential suspension of future embargoes, I am relying absolutely upon the clear provision contained in section 3, which appears in the bill beginning on Line 17 on Page 4, to wit:

Any such suspension shall be effective only while Turkey shall observe the ceasefire and shall neither increase its forces on Cyprus nor transfer to Cyprus any United States supplied arms, ammunition, and implements of war.

I want to make it clear that if the present Government of Turkey should fail in any degree to abide by these clear and ambiguous conditions, I shall vote to reinstitute the absolute ban upon the shipment of any goods to that country when the Military Assistance Act comes before us for renewal within the next few months.

My decision to support this tentative and partial lifting of the absolute embargo at this time is influenced by the pleading of President Ford and Secretary Kissinger and their insistent belief that to do so is in the military interest of the United States and in the maintenance of vital U.S. defense installations in Turkey which presently provide our only means of monitoring Soviet compliance with the SALT agreements.

Since the hostilities of last year, both Greece and Turkey have new governments. Perhaps it is timely to let them both begin with fresh slates and a fresh opportunity to make peace on Cyprus, unimpeded by our understandable displeasure over actions of their predecessor governments.

But this willingness to give the new administration in Turkey an opportunity to demonstrate its good faith in negotiating an acceptable settlement on the Island of Cyprus and in a cessation of its aggressive activities on that island emphatically does not and should not justify us to surrender the basic and fundamental principal that military weapons and equipment purchased from this country must not be used for aggressive military adventurism or for offensive attacks on one's neighbors.

If these agreements are to any degree violated in the future, I shall have no hesitation whatever in voting to reimpose the ban.

The CHAIRMAN. All time has expired. Pursuant to the rule, the Clerk will now read the amendment in the nature of a substitute printed in the bill as an original bill for the purpose of amendment.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Congress reaffirms the policy of the United States to seek to improve and harmonize relations

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among the allies of the United States and between the United States and its allies, in the interest of mutual defense and national security. In particular, the Congress recognizes the special contribution to the North Atlantic Alliance of Greece and Turkey by virtue of their geographic position on the southeastern flank of Europe and is prepared to assist in the modernization and strengthening of their respective armed forces.

The Congress further reaffirms the policy of the United States to alleviate the suffering of refugees and other victims of armed conflict and to foster and promote international efforts to ameliorate the conditions which prevent such persons from resuming normal and productive lives. The Congress, therefore, calls upon the President to encourage and to cooperate in the implementation of multilateral programs, under the auspices of the Secretary General of the United Nations, the United Nations High Commissioner for Refugees or other appropriate international agencies, for the relief of and assistance to refugees and other persons disadvantaged by the hostilities on Cyprus.

Sec. 2. (a) In order that the purposes of this Act may be carried out without awaiting the enactment of foreign assistance legislation for fiscal year 1976 programs—

(1) the President is authorized, notwithstanding any other provision of law, to furnish to the Government of Turkey those defense articles and defense services with respect to which contracts of sale were signed under section 21 or section 22 of the Foreign Military Sales Act on or before February 5, 1975, and to issue licenses for the transportation to the Government of Turkey of arms, ammunition, and implements of war (including technical data relating thereto): *Provided*, That such authorization shall be effective only while Turkey shall observe the cease-fire and shall neither increase its forces on Cyprus nor transfer to Cyprus any United States supplied implements of war; and

(2) the President is requested to initiate discussions with the Government of Greece to determine the most urgent needs of Greece for economic and military assistance.

(b) The President is directed to submit to the Speaker of the House of Representatives and to the Foreign Relations and Appropriations Committees of the Senate within sixty days after the enactment of this Act a report on discussions conducted under subsection (a) (2), together with his recommendations for economic and military assistance to Greece for the fiscal year 1976.

Sec. 3. (a) Section 620(x) of the Foreign Assistance Act of 1961 is amended by striking out all after the word "Provided," and inserting in lieu thereof the following: "That the President is authorized to suspend the provisions of this section and of section 3(c) of the Foreign Military Sales Act only with respect to sales, credits, and guaranties under the Foreign Military Sales Act, as amended, for the procurement of such defense articles and defense services as the President determines and certifies to the Congress are necessary in order to enable Turkey to fulfill her defense responsibilities as a member of the North Atlantic Treaty Organization. Any such suspension shall be effective only while Turkey shall observe the cease-fire and shall neither increase its forces on Cyprus nor transfer to Cyprus any United States supplied arms, ammunition, and implements of war."

(b) Section 620(x) of the Foreign Assistance Act of 1961 is further amended by designating the present subsection as paragraph (1) and by adding at the end thereof the following new paragraph:

"(2) The President shall submit to the Congress within sixty days after the enactment of this paragraph, and at the end of each succeeding sixty-day period, a report on progress made during such period toward

the conclusion of a negotiated solution of the Cyprus conflict."

(c) Nothing in this section shall be construed as authorizing (1) military assistance to Turkey under chapter 2 of part II of the Foreign Assistance Act of 1961, or (2) sales, credits, or guaranties to or on behalf of Turkey under the Foreign Military Sales Act for the procurement of defense articles or defense services not determined by the President to be needed for the fulfillment of Turkey's North Atlantic Treaty Organization responsibilities.

(d) This section shall become effective only upon enactment of foreign assistance legislation authorizing sales, credits, and guaranties under the Foreign Military Sales Act for fiscal year 1976.

Mr. MORGAN (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT OFFERED BY Mr. BUCHANAN

Mr. BUCHANAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BUCHANAN: Page 3, line 3, immediately before the period insert "pending a final settlement of the Cyprus refugee situation in the spirit of Security Council Resolution 361".

Mr. BUCHANAN. Mr. Chairman, I think this amendment simply clarifies the intent of the committee. I hope it can receive the approval of those on both sides of this issue in that it simply underlines our support of the Cyprus refugees and makes reference to the Security Council Resolution 361, which was passed on the 30th of August 1974 in their support.

The heart of this resolution is this:

1. Expresses its appreciation to the Secretary General for the part he has played in bringing about talks of leaders of the two communities in Cyprus.

2. Warmly welcomes this development and calls upon those concerned therein to pursue the talks actively with the help of the Secretary General and in the interest of the Cypriot people as a whole.

3. Calls upon all parties to do everything in their power to alleviate human suffering, to ensure the restoration of fundamental human rights for every person and to refrain from all actions likely to aggravate the situation.

4. Expresses its grave concern at the plight of the refugees and other persons displaced as a result of the situation in Cyprus and urges the parties concerned, in conjunction with the Secretary General, to search for peaceful solutions of the problems of refugees and take appropriate measures to provide for their relief and welfare and to permit persons who wish to do so to return to their homes in safety.

5. Requests the Secretary General to submit at the earliest possible opportunity a full report on the situation of the refugees and other persons referred to in Paragraph 4 of this resolution and decides to keep that situation under constant review.

6. Further requests the Secretary General to continue to provide emergency U.N. humanitarian assistance to all parts of the population of the island in need of such assistance.

7. Calls upon all parties, as a demonstra-

tion of good faith, to take both individually and in cooperation with each other, all steps which may promote comprehensive and successful negotiations.

8. Reiterates its call to all parties to cooperate fully with UNICYP in carrying out this task.

9. Expresses conviction that the speedy implementation of the provisions of this resolution will assist in the achievement of a substantial settlement in Cyprus.

Mr. Chairman, we agreed in the committee to this section concerning the refugees on Cyprus to indicate our Government's concern for them; but I would add these words to underline that we do not consider this a final solution. We do consider this something that must be addressed in the negotiations. It is simply an underlining of our support of the rights of the Cyprus refugees and I believe fulfills the intent of the committee which it can be important if this legislation does pass.

Mr. BIESTER. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Pennsylvania.

(Mr. BIESTER asked and was given permission to revise and extend his remarks.)

Mr. BIESTER. Mr. Chairman, I support the gentleman's amendment. I think it is a clarification of the committee's intent. In emphasizing the plight of the refugees the gentleman points to the most serious human problem in this entire matter.

[Mr. BIESTER further addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. MORGAN. Mr. Chairman, I had read the gentleman's amendment earlier today. I have no serious objection to it, because I agree with the gentleman from Pennsylvania (Mr. BIESTER) that it reflects the committee's intent. I am for these refugees returning to their homes and a settlement on Cyprus.

Mr. Chairman, the majority side has no objection to the amendment.

Mr. BROOMFIELD. Mr. Chairman, we also have reviewed the amendment. We think it improves the legislation and is consistent with our original objectives in this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama (Mr. BUCHANAN).

The amendment was agreed to.

Mr. BIAGGI. Mr. Chairman, I move to strike the requisite number of words.

(Mr. BIAGGI asked and was given permission to revise and extend his remarks.)

Mr. BIAGGI. Mr. Chairman, we are coming close to the moment of truth, to a difficult decision for most; easy for some. But, I would be remiss if, at this point, I did not bring to the attention of the committee that the chairman of the committee, the gentleman from Pennsylvania (Mr. MORGAN) was responsible for the passage of the \$25 million appropriation for refugee relief which I introduced as an amendment earlier in the year. For without his support this amendment would not have passed. I understand the difficulty of his position, and I respect it. However, at that point we part.

Mr. Chairman, I have listened to the entire debate this afternoon and I, like others, have pondered over the merits of the relative positions. I resented in some measure the implication that a lobby was distasteful, that a lobby was something to be avoided. We live in the midst of lobbies every minute of the day. This time, it is different because it happens to be of Greek ancestry. Yet, we were conspicuously silent in the acknowledgment that we did have those of Turkish ancestry lobbying equally as vigorously.

Let me tell the Members about the difference. Each of them believed that they were right. In my judgment and in the judgment concurred in by this Congress early in the year by the enactment of the embargo, the Greek lobby has one thing going for it, and only one, but it is the most compelling reason and the most compelling element for my consideration, at least, and I am sure for other Members. That is simple justice.

Somehow, in this procedural undertaking this afternoon, in the very clinical approach to foreign affairs, we forget the impact of justice. Now, what the devil has happened on that island? Right or wrong, who precipitated it at this point becomes obscure even if we find justification for the Turks invading Cyprus. Can we then find justification for them ravaging Cyprus? Can we find justification for the ravaging of the women, the ransacking of homes, the confiscation of properties?

The gentleman from Michigan (Mr. BROOMFIELD) said early on, "How long do we punish them?" They took that initial action. That would be right if they went onto the island and left it, but Turkey went onto the island and has and still occupies 40 percent of this land with 70 percent of its industrial wealth. I agree with the gentleman from Ohio (Mr. HAYS) when he said that he does not contemplate that the Turks will ever withdraw from Cyprus. The original statement was made that they are there to stay, they intend to stay. We know the intricacies of foreign affairs and the conduct of the Secretary of State and the Department of State, whose record leaves a great deal to be desired. I am certain they will remain in Cyprus no matter what concessions are eventually made.

Nothing has changed. The gentleman from Florida said it. Nothing has changed. The law somehow becomes important with certain issues, with certain people, and with certain nations, but the double standard used here indicates that the law is not important with Cyprus.

Let me tell the Members what frightens me. I see it more and more across the world: the United States is being regarded more and more as a paper mache nation. Its integrity, its fortitude, its determination to remain dominant with integrity is diminished and very seriously eroded.

What if we do pass this resolution today? We will, in effect, be giving a signal to every other nation which benefits as a result of our Foreign Assistance Act to utilize as they will, if it suits their national interests best, those weapons to invade other lands. It is significant. We

never thought it would occur, but some people say it is happening. Well, it has happened here in Cyprus, we took action. If it is happening anywhere else, let us take action. This attitude of a double standard is what is perplexing to the American people and confusing to the Congress, and certainly should cease.

Mr. Chairman, I once again find myself rising to oppose the latest administration effort to thwart the will of Congress and resume arms shipments to the Government of Turkey. Their latest vehicle comes in the form of S. 846 which allows Turkey to be sent weapons and materials already purchased, as well as resume commercial sales. This legislation deserves to be soundly and swiftly defeated.

One year ago the island of Cyprus was brutally and illegally invaded by the Turkish Government. In the 12 months since the invasion, Cyprus has been devastated by Turkey and their occupation force. Even 1 full year later we find 40 percent of the island and 70 percent of all industrial and agricultural production controlled by Turkey. Yet even more significant is the fact that there are an estimated 200,000 refugees on the island typifying a deplorable example of human misery and suffering. We have attempted to assist and under an amendment I attached to the Foreign Assistance Act, Cyprus was given \$25 million in emergency aid.

Yet peace is far from being a reality in Cyprus. The administration claims that the embargo which the Congress imposed on February 5, has hardened Turkey's resolve to avoid taking steps for peace. The fact is, an overwhelming number of Members feel unequivocally that a cutoff of aid is the only way of convincing Turkey to work for peace on Cyprus. The embargo has not even had long enough time to be effective and already the administration is seeking to lift it.

On what grounds do they seek to do this. One of their main arguments is that Turkey has shown signs of wanting to resolve the Cyprus crisis. I have seen nothing to document this contention and in fact it was only after American initiative that meetings between high Greek and Turkish officials took place.

The only real issue we must concern ourselves is the restoration of peace. This cannot be done by allowing Turkey to obtain more arms, for all this will do is allow them to strengthen their hold on Cyprus. The embargo remains the one key to peace. If the administration and Turkey were so convinced that lifting the embargo would bring peace why then did they offer no assurances to Congress that they would consider the lifting of the embargo a catalyst for working for peace. I am sure that if these assurances were available, there would be a great deal more support for S. 846.

In addition, we cannot forget that we are dealing with an important legal principle. Turkey was and continues to be in strict violation of the terms of the Foreign Assistance Act. Every troop of Turkey on Cyprus is illegal, every offensive action they take is illegal. Do we now

vote for legislation which, in effect, condones the yearlong violations of Turkey in Cyprus. I cannot imagine anyone wanting to vote in this fashion, but I am sure there are some. Rejection of S. 846 will be a demonstration of both our support for peace on Cyprus and adherence to the conditions of articles of international law.

I have said on numerous occasions that the handling of the Cyprus crisis represented a sorry era in American foreign policy history. We in Congress sought to work at ending the conflicts and bringing peace to Cyprus. The administration is willing to prolong the misery and suffering which is exactly what will happen if we lift the embargo today. A lifting of the embargo without assurances that conditions will improve for the 200,000 refugees and others suffering on Cyprus would be a tragedy of profound significance. I want no part of such a vote, nor do my colleagues. A no vote is needed to preserve integrity and firmness in our foreign policy as well as offer a ray of hope for peace for the beleaguered people of Cyprus.

Mr. BADILLO. Mr. Chairman, I move to strike the last word.

(Mr. BADILLO asked and was given permission to revise and extend his remarks.)

Mr. BADILLO. Mr. Chairman and members of the committee: Now that we have come to the portion of the debate that has to do with the reading of the bill, I think it is important that we read some of the language very carefully, because the language of this bill is dangerous, and is the kind of language that has been dangerous to the Congress in years past.

On page 3, line 7, the bill says:

The President is authorized, notwithstanding any other provision of law, to furnish to the Government of Turkey those defense articles and defense services . . .

The words, "notwithstanding any other provision of law," really mean that we are being asked to repeal the Foreign Military Sales Act and the Foreign Assistance Act.

We should have learned from the Gulf of Tonkin resolution and from other resolutions never to vote for a bill that uses the words "notwithstanding any other provision of law," because that is the way in which we indirectly repeal legislation that we would not otherwise repeal if the legislation were specifically named.

But we have more dangerous provisions further down in that section on page 3.

It has been said by the gentlewoman from Maryland that what we are doing here is capitulating in Turkey, but if we read on line 15, where it says, "Provided, That such authorization shall be effective only while Turkey shall observe the cease-fire and shall neither increase its forces on Cyprus nor transfer to Cyprus any U.S. supplied implements of war," those words are not merely capitulation, they are ratification of an existing condition.

If we vote for this, we will be accepting the fact, we will have voted for the fact, that Turkey is permitted to occupy

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Cyprus, that Turkey is permitted to have our weapons on Cyprus, because we say that they will not be allowed to increase them. But that means that they are allowed to retain what they have there.

We say that they shall obey the ceasefire, which means we are voting to allow them to remain in 40 percent of Cyprus.

So this wording is dangerous because we are, in effect, ratifying what already has been done.

For these reasons, I think that we must oppose the bill.

Mr. HAMILTON. Mr. Chairman, will the gentleman yield?

Mr. BADILLO. I yield to the gentleman from Indiana.

Mr. HAMILTON. I thank the gentleman for yielding.

I appreciate the gentleman's concern in pointing to the phrase "notwithstanding any other provision of law," and I would like to give the gentleman my interpretation of it and point out one additional fact which I think changes the interpretation that the gentleman has given to that provision.

The authorization to complete the delivery of previous contracted-for goods, "notwithstanding any other provision of law," simply makes clear that existing statutes are not going to be an impediment to such delivery.

But the important thing is that Turkey is not relieved from its obligation under existing contracts and agreements which contain all the conditions on use and transfer and security of the U.S.-furnished arms required by U.S. aid policy.

So I do not think we are releasing Turkey from those obligations.

Mr. BADILLO. The gentleman has just confirmed what I said. The gentleman said all this means is that existing statutes shall not be an impediment to the delivery of arms. The existing statutes are section 505(d) of the Foreign Assistance Act of 1961, and section 4 of the Foreign Military Sales Act.

Section 4 of the Foreign Military Sales Act states that—

Defense articles and defense services shall be sold solely for internal security, for legitimate self-defense, to permit the recipient country to participate in regional or collective arrangements or measures consistent with the charter of the United Nations.

The gentleman is repealing that section by the words "notwithstanding any other provision of law."

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. BADILLO. I yield to the gentleman from New York.

Mr. ROSENTHAL. I thank the gentleman for yielding.

The gentleman in the well is absolutely correct that those words "notwithstanding any other provision of law" for the first time repeals section 505 of the Foreign Assistance Act and section 4 of the Foreign Military Sales Act.

Mr. HAMILTON. If the gentleman will yield, the obligation of Turkey exists because of the existing contracts and

agreements that they sign when they get this equipment.

Mr. MORGAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think perhaps we had better settle the controversy raised by my good friend, the gentleman from New York.

If the Members will take the committee report and turn to page 16, section 2, I am sure they will find a full description of the meaning of the words, "notwithstanding any other provision of law."

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from New York.

Mr. ROSENTHAL. Mr. Chairman, what this does, if I may suggest this, is to say that the restrictions on Cyprus contained on lines 15 to 19 are still there. These words, "notwithstanding any other provision of law," waive all other existing laws as to this \$185 million. What it means is that Turkey could use these weapons, \$185 million worth of weapons, for aggressive purposes and not then be in violation of American law if they were used anywhere other than on Cyprus.

In other words, if they used them against Greece or against any other country, they would not be in violation of existing American law. That is exactly what it provides.

Mr. MORGAN. No, sir, they would be. The report says:

This permits deliveries to be made without regard to section 620(x) of the Foreign Assistance Act of 1961. It should be emphasized, however, that the items to be delivered were purchased under contracts containing all of the assurances and undertakings required by applicable legislation.

Mr. ROSENTHAL. Mr. Chairman, if the gentleman will yield further, the words, "notwithstanding any other provision of law," are to me very self-explanatory. They waive all other provisions of law that would amount to a restraint or a constraint on this \$185 million worth of weapons.

Mr. SOLARZ. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from New York.

Mr. SOLARZ. Mr. Chairman, I think it is terribly important to clarify this fact, because if in fact the restrictions on the use to which the \$185 million worth of weapons in the pipeline could be put which have been imposed by American law were removed from that phrase, then there might be a very good reason for voting against this legislation.

But in that regard I think there are two points to be made. The first is that the very same restrictions provided for in American law have already been written into the contracts which Turkey had signed at the time they purchased these weapons.

Mr. ROSENTHAL. But, if the gentleman from Pennsylvania will yield, any alteration in the law after that would nullify any other restrictions.

Mr. SOLARZ. Mr. Chairman, the restrictions had already been agreed to by Turkey when it signed the contracts. So

even if the gentleman's interpretation is correct with respect to the repeal of American law, the contractual obligations into which Turkey had entered would still be binding.

Second, I think it is very important to call the attention of the Members of the House to the language on page 16 of the committee report which goes directly to the question of legislative intent.

On page 16 the committee makes it very clear—and I am now quoting—that—

It is the committee's intention that these assurances and undertakings shall remain fully applicable.

Consequently, I do not think that there is any danger that the inclusion of this phrase, "notwithstanding any other provision of law," will result in a situation where the Turks are free to use these weapons for any purpose they want, because they are contractually prohibited from doing so, and the committee makes it clear they are not to be relieved of those obligations by virtue of this legislation.

Mr. BADILLO. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from New York.

Mr. BADILLO. Mr. Chairman, I thank the gentleman for yielding.

When I made my remarks, I want every Member here to understand that I did not get these provisions as the result of any obscure research; I got them from the committee report itself. The proper place to refer the Members is not page 16; it is page 20.

On page 20 the committee says:

Following are the relevant provisions of law associated with the Turkish aid ban.

The committee has said it. I am quoting their own words. They cannot now say this is not relevant.

Mr. MORGAN. Mr. Chairman, the gentleman from New York is quoting from the minority report, not from the majority report.

Mr. BADILLO. Mr. Chairman, this cites section 3(c), and that is the section of the act we approved. That section says that anybody who uses defense articles or defense services in violation of the act shall be immediately ineligible for further aid at any time in the future.

That does not apply only to the minority report. That applies to Turkey. That applies to all countries. That is a section of the Foreign Military Sales Act.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN: Page 3, line 19, after "war" insert the following:

"Provided further, That the authorities contained in this section shall not become effective unless and until the President determines and certifies to the Congress that the furnishing of defense articles and defense services, and the issuance of licenses for the transportation of implements of war, arms and ammunition under this section are important to the national security interests of the United States".

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(Mr. RYAN asked and was given permission to revise and extend his remarks.)

Mr. RYAN. Mr. Chairman, the amendment which I propose has a single objective: It is to assure that the partial lifting of the embargo on arms to Turkey would not go into effect unless such action is determined by the President to be important to the national security of the United States.

Much has been said in this debate about the southeast flank of NATO and about the various military and intelligence bases which the United States has access to in Turkey.

Those bases, we were told, are important if the United States is to have the necessary flexibility to respond to any crisis in the Middle East, in the Indian Ocean, or in the eastern Mediterranean.

Those bases are also important if the United States is to have adequate means to monitor any arms control agreements with the Soviet Union. SALT II cannot come into effect, it has been said, if we cannot monitor Soviet arms and missile actions. The bases in Turkey are important to such monitoring.

Much of the information about the military intelligence situation in that part of the world is classified. The Congress is in no position to make some of the day-to-day determinations in that field. But the President can, and the President should.

The Congress, at its peril, I believe, acts as its own foreign minister. We do not belong in that business ordinarily. We do not belong in that business in this particular case, and the President can much better determine what action to take.

My amendment would allow the arms which Turkey purchased before the cutoff—before the embargo—to be delivered only if the President certifies to the Congress that such deliveries are important to our national security.

The same thing would apply to commercial sales.

Only the President has the information and intelligence necessary to make such a decision, and it should be his decision to make.

Mr. Chairman, I believe this amendment is a perfecting amendment which allows even tighter or more sophisticated control of the present situation in Turkey.

Mr. JOHN L. BURTON. Mr. Chairman, will the gentleman yield?

Mr. RYAN. Yes, I yield to the gentleman from California.

Mr. JOHN L. BURTON. Mr. Chairman, I thank the gentleman for yielding.

I would just like to state for the record that when I called for Secretary Kissinger's resignation, it was not because I was not invited to one of his breakfasts, but it was out of a profound belief that the people would be better served if Mr. Kissinger served somewhere else.

I say that since that point has been raised to me.

Mr. RYAN. I thank the gentleman from California (Mr. JOHN L. BURTON) for making the point.

Whatever the gentleman's particular opinion is of Mr. Kissinger, this Con-

gress, acting as a body, is much less able to make determinations regarding compliance with congressional limitations on a day-to-day basis than is someone in the executive branch.

How well the State Department does its job is our prerogative to comment on, but we should not be doing those day-to-day evaluation ourselves.

[Mr. OTTINGER addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. MORGAN. Mr. Chairman, I move to strike the last word.

(Mr. MORGAN asked and was given permission to revise and extend his remarks.)

Mr. MORGAN. Mr. Chairman, I listened to the explanation of the author of the amendment, but I am just wondering about this: Do I understand that the gentleman from California (Mr. RYAN) is putting the responsibility of making the determination upon the President of the United States and that before any of the \$185 million that is in the pipeline could move, there has to be a determination by the President of the United States that it is in the national security interest?

Mr. RYAN. The assumption of the Chairman is correct.

Mr. MORGAN. Do I understand, further, that this only pertains to section 2 of the bill?

Mr. RYAN. That is my understanding.

Mr. MORGAN. Mr. Chairman, I see nothing really wrong with the amendment as far as this side of the aisle is concerned.

Mr. BROOMFIELD. Mr. Chairman, I move to strike the last word, and I would rise in support of the amendment.

I think the gentleman from California (Mr. RYAN) has improved the amendment, and we accept the amendment on this side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. RYAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FRASER

Mr. FRASER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FRASER: Page 3, line 8, strike out "any other provision of law" and insert "section 620(x) of the Foreign Assistance Act of 1961".

(Mr. FRASER asked and was given permission to revise and extend his remarks.)

Mr. FRASER. Mr. Chairman, this amendment clarifies the matter that was in contention a few minutes ago as to the meaning of the proviso, "any other provision of law." It would limit the waiver to only section 620(x) so that it could not be argued, if this amendment is adopted, that we are waiving other provisions of law which might open questions which would be of concern to many of us.

In my judgment the committee report is accurate with regard to the intention of the bill, but this amendment would simply assure that the intention stated in the report is, in fact, enacted into law.

So this is a clarifying amendment to remove the uncertainty that the gentleman from New York was concerned with. There is no need to have that uncertainty. Thus I think the amendment should be adopted, and I would hope the Members would support the amendment.

Mr. MORGAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am sure the members of the Committee on International Relations are familiar with this discussion. This amendment was offered during the markup of this legislation by the gentleman from New York (Mr. BINGHAM). Because the phrase "Notwithstanding any other provision of law" is mentioned in the Foreign Assistance Act many, many times, the committee felt that this was not necessary. But if there are any Members who feel strongly about eliminating the provision "notwithstanding any other provision of law", this amendment would do it and spell out what we are talking about. If that is the wish of the House, then the majority has no objection to the amendment. But we want to make it clear that this does not negate the purposes of the bill as outlined in the legislation before us. The pipeline and commercial licenses could go forward under the amendment as the committee intended.

Mr. BROOMFIELD. Mr. Chairman, would the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, I wonder if the chairman, the gentleman from Pennsylvania (Mr. MORGAN) feels that in accepting the amendment we are in any way doing anything that would jeopardize the original purpose of the bill so far as aid going to Turkey is concerned?

Mr. MORGAN. That is right; it would not jeopardize the aid going to Turkey.

Mr. BROOMFIELD. Mr. Chairman, under those conditions, we on this side accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. FRASER).

The amendment was agreed to.

Mr. MOORHEAD of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

(Mr. MOORHEAD of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. MOORHEAD of Pennsylvania. Mr. Chairman, the decision which faces the House today is difficult to make but easy to articulate.

If the President, the Secretary of State and our Committee on International Relations are correct, a vote for this compromise bill will open the way for negotiations between Prime Minister Caramanlis of Greece and Prime Minister Demirel of Turkey, which negotiations the President has promised to push in his meetings with both Prime Ministers in Helsinki next week.

If the President, the Secretary of State and the committee are correct, then by voting in favor of the bill we will have done a great service for the Greek Cypriots.



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If, Mr. Chairman, the President, the Secretary of State and the committee are wrong, then the Congress can reimpose the embargo in October or November when the Congress must act on the Foreign Military Sales Act. Such reimposition of the embargo will have my full and total support.

On five separate occasions last year I voted in favor of the embargo against Turkey. The club of embargo has not worked. Let us now on a short term, limited basis try the velvet glove. I think there is a reasonable chance for success because of the change in governments of both countries since the invasion of Cyprus. Prime Minister Caramanlis was elected after the invasion of Cyprus; Prime Minister Demirel came to office this year. We are not dealing with Prime Minister Ecevit, who was Prime Minister at the time of the invasion of Cyprus.

I know that Greece wants a peaceful settlement on Cyprus. I believe that Prime Minister Demirel would like a peaceful settlement if he can do so without adverse political repercussions in his own country.

I believe that a peaceful settlement of the dispute between our two NATO allies is not only in their best interest, but also in the best interests of the United States.

I believe that enactment of this bill today will enhance the chances of this much to be desired outcome.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD of Pennsylvania. I yield to the gentleman from New York.

Mr. OTTINGER. I thank the gentleman for yielding.

The difficulty with reimposition of an embargo is that it is subject to presidential veto. At the breakfast we attended with the President, he refused to commit himself not to veto the bill. So is that not elusive?

Mr. MOORHEAD of Pennsylvania. The gentleman from Pennsylvania and the chairman cannot tie this reimposition to a nonvetoable bill. If he does, he will not have the continued respect that I expect to have for him.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. I thank the gentleman for yielding.

Of course, the Foreign Military Sales Act is a total package, and I do not believe there will be any veto of that bill. If there is a veto, I imagine it will be overridden in this body.

Mr. OTTINGER. If the gentleman will yield further, that bill has not even been passed.

The CHAIRMAN. The time of the gentleman has expired.

AMENDMENT OFFERED BY Mr. GOODLING

Mr. GOODLING. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOODLING: Page 3, strike out line 20 through line 23 and insert in lieu thereof:

"(2) the President is requested to initiate

discussions with the Government of Greece to determine the most urgent need of Greece for economic and military assistance and in such discussions the President shall express the sense of the Congress that if Turkey has withdrawn all Turkish forces from Cyprus, no additional military assistance shall be provided to Greece until all Greek military forces are withdrawn from Cyprus.

In exercising the authority granted by paragraph (1), the President shall take steps to insure that the percentage, on a dollar value basis, of the defense articles and defense services authorized to be furnished by paragraph (1) which have been delivered to Turkey at any given time does not exceed significantly the percentage by which the Turkish forces which are on Cyprus on the date of enactment of this section have been reduced prior to such time."

(Mr. GOODLING asked and was given permission to revise and extend his remarks.)

Mr. GOODLING. Mr. Chairman, I have a slight problem with the resolution or the act as it is presented. I have been lobbied by all of the Greek forces and all the Turkish forces, the White House, the Department of State, the committee, and other Members of Congress.

If it is appeasement we are talking about, then I am concerned about Chamberlain going in that direction and we had World War II. If it is fear we are talking about, I am concerned because we feared China and Russia and therefore extended the Southeast Asia conflict for years and years when it could have been ended quickly.

This resolution is intended to demilitarize Cyprus by allowing Turkey to receive arms already purchased and in the pipeline contingent upon the removal of Turkish forces in a directly proportional plan. For example, if Turkey removed 25 percent of its troops in a month, I would receive 25 percent of the armaments authorized. This amendment also provides if Turkey withdraws its forces from the island Greece must do likewise. If Greece fails to remove its troops, now numbering 1,200, and depending on who one talks to one can get different numbers, further assistance would be denied Greece.

I believe such treatment would be evenhanded to both Greece and Turkey and more importantly to Cyprus.

Demilitarization of Cyprus would be a necessary first step in achieving settlement whereby the Cypriots could best determine their own future. My worry and concern is that somewhere along the line we have given up that right of self-determination and I think it is that right of self-determination which separates America from most other countries in this world.

Mr. PEYSER. Mr. Chairman, will the gentleman yield for a question?

Mr. GOODLING. I yield to the gentleman from New York.

Mr. PEYSER. Mr. Chairman, I am interested in what this amendment says. I want to be sure I understand it. The gentleman says in this amendment for instance that if the Turks were to withdraw 10,000 troops, which would be approximately 30 percent of what they have now on the island, that then they would

be eligible for 30 percent of what is in the pipeline for them as far as military supplies?

Mr. GOODLING. That is correct.

Mr. PEYSER. And then the Greeks on the island would have to remove 30 percent of their troops. In other words this will keep the ratios equal as they go along on all accounts?

Mr. GOODLING. Yes, that is correct.

Mr. BROOMFIELD. Mr. Chairman, I rise in opposition to this amendment.

First of all the amendment is unrealistic. It seeks to dictate one of the terms of the agreement for a Cyprus solution. Obviously neither the Greek nor the Turkish troops will withdraw while troops of the other country remain. The objectives of this amendment could be achieved only if the parties agreed to a simultaneous and complete withdrawal as part of an agreement. Under the 1960 arrangement both Greece and Turkey are permitted to maintain small garrisons on Cyprus and the troops of both nations have been present there since 1960. It is extremely unlikely, in view of the past history, the existing agreement, and present tensions that a complete withdrawal of all Greek and Turkish troops would take place in the near future under any foreseeable settlement agreement.

The bill is intended to promote a favorable climate for negotiations and encourage an early negotiated solution. But Congress cannot dictate what the terms of an agreement between the Greek, Turkish, and Cypriot parties should be. U.S. assistance should not be conditioned upon the inclusion of specific terms in the agreement. Moreover, the terms contemplated by this amendment—immediate withdrawal of all forces by both sides—are most unlikely. The amendment would not be effective in determining the provisions of the settlement agreement. It would only produce resentment and diminish U.S. influence with all parties.

Mr. EDGAR. Mr. Chairman, I rise in opposition to the amendment.

(Mr. EDGAR asked and was given permission to revise and extend his remarks.)

Mr. EDGAR. Mr. Chairman, I hope not to take the full 5 minutes.

I stand not only in opposition to the amendment, but also in opposition to the committee bill.

Mr. Chairman, it seems to me that the issue here at stake is the issue of action involving what our foreign policy should be toward Turkey, toward Greece and toward Cyprus. I think one of the major words in that action should be the word "compromise."

I was pleased a few weeks ago with the briefing that was held in the State Department with Henry Kissinger. I think he shared honestly with us the political situation in Turkey and his perception of the importance of the bases in Turkey. At that time he leaned in the direction of compromise.

I know some of my colleagues stood and asked precise questions of Mr. Kissinger. Those questions dealt with the consideration of compromise and how that compromise might be worked out.



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Less than 12 hours later there was an announcement made at a Presidential breakfast by the chairman of the committee and the President that a compromise had been worked out.

It seemed strange to me at that point that we had just that previous evening been brought into a dialogue about how important that compromise was and then within a very short period of time that compromise was laid out on the table and, in fact, was not a compromise at all. In fact, it gave to the Turkish Government everything that they had been asking for. It held very little back.

It was very much like having a dollar and compromising with someone who wants to steal that dollar by giving them 95 cents.

I think it is strange that the Administration has sought to orchestrate a compromise which, in fact, is not a compromise.

I think it is strange that the Turkish Government has employed American guns provided by American taxpayers to invade and occupy Cyprus. At this moment American guns are trained on Greek Cypriots and American bullets are being used to deny Cypriots their right of self-determination.

Mr. Chairman, today we will be voting on S. 846 a bill to lift the embargo on military assistance to Turkey which was imposed on February 5, 1975 in response to the use of American arms by Turkey in her invasion of Cyprus.

This legislation would allow the delivery of all military arms contracted for sale to Turkey up to the arms embargo and the renewed sale of arms from American manufacturers to Turkey. This legislation further provides for the eventual resumption of the sale of arms subsidized by our Government to Turkey so that the Turkish Government can buy on credit at lower interest rates.

I am firmly opposed to providing arms for the Government of Turkey. Providing aid to Turkey violates the principles of our foreign military assistance program, endangers world peace, and jeopardizes even our own domestic peace.

When President Truman proclaimed the Truman Doctrine in March 1947, he recognized the danger of Soviet aggression against our Greek and Turkish allies. Our military assistance has always been intended to be solely for the defense of our European allies against the aggression of other states.

The Foreign Assistance Act of 1961 and the Foreign Military Sales Act specifically state that U.S. military assistance is only available for internal security, for legitimate self-defense, to permit the recipient country to participate in regional or collective arrangements or measures consistent with the Charter of the United Nations. Why then should our President permit—let alone encourage—military assistance to Turkey in flagrant violation of the law?

Mr. Chairman, the Turkish Government warns us that if the U.S. Congress does not concede to their demands for arms, they will not permit American bases to remain on Turkish soil.

I know that this is a highly sensitive political issue and that these bases are

vital to our national security, but if we yield to Turkish extortion today, what demands will other governments who host American military facilities press on us tomorrow?

If our defense agreements require that our Government bribe tyrants and appease aggressors, then we are as corrupt as those we are quick to condemn.

Frankly, I do not believe the Turkish threats. Ordering the removal of American defense facilities would certainly squash all Turkey's future hopes of obtaining military aid from the United States. The weak Demirel government cannot afford to toss out their trump card so early in the game.

If we deny this aid, the Demirel government will try again to obtain American aid, and next time they may realize that they have to make concessions concerning Cyprus to demonstrate their good faith to our Government.

But if we grant this aid, U.S. personnel will most certainly be expelled from our Greek military installations, and our relations with our Greek allies will be irreparably damaged.

Moreover, restoring military aid to Turkey would seriously undermine the stability of the Greek Government. One of our country's most distinguished statesmen, former Under Secretary of State George Ball has stated that lifting the arms embargo to Turkey would have a "catastrophic" effect on the new democracy in Greece.

Will this Congress permit our defense agreements with our allies, which form a net against foreign aggression, to entangle us in endless acts of aggression between and among our allies? If so, then today's vote will begin the slow undoing of American power at the expense of our Nation's security.

Second, lifting the arms embargo to Turkey would jeopardize world peace.

There has been no progress in the peace negotiations. The Turks will not offer concessions to the Greeks. Yet the President insists that the Turks must be given more American arms before they will make peace.

President Ford and Secretary Kissinger have done nothing to compel the Turks to make peace. Since the arms embargo was imposed, the administration has continually assured the Turkish Government that the arms embargo would soon be lifted. Only 11 days after the ban became effective the administration proposed the repeal of the ban. Knowing this, why should the Turkish Government have felt compelled to make any concessions? The administration never gave the arms embargo a chance to succeed in forcing the Turkish Government to negotiate.

The President is responsible, therefore, for Turkey's intransigent attitude toward the peace settlement. The President's appeasement of the Turks may lead to still more fighting and bloodshed among the southern flank of NATO, if we concede to the repeal of the arms ban.

Finally, military aid to Turkey would condone the Turkish Government's unilateral breach of the 1971 agreement to terminate poppy growing. The Turkish Government has permitted the resump-

tion of poppy growing, extended it to three more provinces, and granted a general amnesty for all Turkish citizens previously convicted of drug traffic.

We cannot tolerate this violation of an international agreement, nor can we vote for military assistance to a government which is directly responsible for millions of dollars worth of illegal heroin traffic in the United States. My distinguished colleague from California, Mr. EDWARDS has stated that at the present rate of heroin addiction there will be 1½ million addicts in the United States by 1980.

Section 2291 of title 22 of the United States Code provides for the suspension by the President of military and economic aid to any country which fails to take adequate measures to control illegal drug traffic. But the President will not exercise this authority. By voting to continue the arms embargo to Turkey, we will signal to that government that their poppy-growing policies will not be tolerated.

A vote to suspend the arms embargo is a vote against America's people, against our cities, our youth, and our future.

Mr. Chairman, to preserve the principles of our NATO defense pact, to restore peace to our Mediterranean allies, and to protect our Nation's cities from the scourge of heroin addiction, I urge my colleagues to vote against S. 846.

Mr. Chairman, thank you.

I think compromise is in order. Therefore, I urge my colleagues to vote down the committee bill, and force the administration and Congress to work out a compromise that makes sense and not the so-called compromise they offer in this position.

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield?

Mr. EDGAR. I yield to the gentleman from Ohio.

Mr. SEIBERLING. Mr. Chairman, of course, other compromises are possible, but I think the Members of the House ought to recall that the condition that we added to the bill which is now the law, that became effective in February, was itself a compromise, because we said that we would suspend the operation of our law if the President certified that there was substantial progress in the negotiations for a settlement on Cyprus. In other words, we were willing to waive the provisions of our law, not for final settlement, but just substantial progress. But there has been no substantial progress.

Now, I attended one of the White House breakfasts. I have been searching my soul ever since to figure out the right thing to do here. Each time I come out at the same place as before. We are asked to give up on two principles; one, that we will not be blackmailed by every country that has our bases; second, that we will give or sell arms only to be used for defense. All we get in return for abandonment of these principles is the President's assurance that Mr. Demirel will negotiate. But they have already been negotiating. When I asked what is the difference between what they have been doing and what they have said they would do I was told, "Well they have not been seriously negotiating."

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In other words, there has been no substantial progress. So the President was quite right not to sign any such certification.

Let us have a compromise. Let us have a commitment, maybe not a public commitment, but a private assurance, if necessary, that Mr. Demirel's government will withdraw unilaterally from the land they occupied in violation of the U.N. cease-fire line. Then the President can make the certification and we will not have to go through this exercise.

Mr. MORGAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Connecticut (Mr. MOFFETT).

Mr. MOFFETT. Mr. Chairman, I would like to associate myself with the remarks of the gentleman from Pennsylvania (Mr. EDGAR).

I was most pleased that the gentleman mentioned the meeting that the new Members had with Secretary of State Kissinger. It is important to point out there has been an effort, not only from us, but from many Members on both sides of the aisle, to compromise, to adopt a conciliatory attitude in this matter. I think the resolution, with all due respect to the committee, simply does not reflect that.

Yet, the resolution, with all due respect to the committee, simply does not reflect that.

Mr. MORGAN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Pennsylvania (Mr. GOODLING). As another Member has said, this amendment is unrealistic and misguided. Under the Zurich Treaty, Greece has the right to have 950 troops on Cyprus. Under the same agreement, Turkey has the right to have 650 troops.

They must be there, because if we follow the Goodling plan and adopt the Goodling amendment, neither country would have any military forces on Cyprus and we could see the worst bang-up fight we ever saw in our lives, and more people could get killed than perished in the Turkish invasion. This is an amendment that the committee should not accept. It is an amendment that even King Solomon would have difficulties applying, and I think it would be tragic for Greece, Turkey, and Cyprus.

Mr. DENT. Mr. Chairman, I move to strike the last word.

Mr. Chairman and members of the committee, I do not intend to get into a discussion of the merits or demerits of the proposal before us. I just want to talk to the Members for a little bit.

In all my years, whenever an issue came up, I tried to use what I thought was my best judgment, measuring it from all the angles. In the first five votes on this question, I voted for the arms embargo on Turkey, my best judgment of the situation at the time. It was said I voted for the Greeks; if so, I thought they were right at the time.

In recent days, I have had some in-house conversations with some Members, and I looked at it from another view on the basis of what information they gave me. I have always had a very fine relationship with the Greeks and Italians, Irish, Jews and all my neighbors, but I

never considered them as ethnic groups, coming from an ethnic group myself that has never in its history in my area of the country formed a pressure group based upon its ethnic background. I think my Greek friends are American as I believe myself to be.

What happened last evening and this morning came at a very bad time. I just happened to be reading an article in the paper that was laying on my desk, which was about ethnic pressure and lobbyists getting into foreign policy. It was very interesting. I did not realize how significant it was until one of my girls came in. She was in tears and said that she just could not take it any longer. She was getting telephone calls, and as fast as she would hang the phone up, she would get another one, and the language was rather abusive in some cases.

One would think that I had never done a favor for anybody of Greek extraction. In the 43 years of being a legislator I thought I was their friend when they came with problems I could help with. All of a sudden someone calls my district and tells them that they heard I was going to vote for what would now be called the Turkish position. I had never voted that way before, so whoever called must have had some information I myself did not possess at that moment.

I told the gentleman from Pennsylvania (Mr. MORGAN) that I was going to vote against him on the proposal until I heard some very disturbing things, and I questioned the gentleman from Pennsylvania. He sincerely believes that it is for the welfare of my country and his and that of all the people. It seems the only thing to do to break a stalemate on Cyprus I had decided to vote, not for the Turks or against the Greeks, but for what I think is best for my country.

I do not like to be intimidated. I do not like to be called foul names, and I do not like my girls to hear threats. It is not necessary and does no one any good.

Mr. Chairman, at the proper time I am going to ask permission to revise and extend my remarks to put this article in the RECORD. It came at a moment which caused me to stop and think.

It is time we quit, voting on the basis of our ethnic, color, or religious beliefs. That should be relegated to the long dead past.

These divisions are destroying the whole legislative process.

I would like to read Kevin P. Phillips' article on "Ethnic Lobbyists":

MEDITERRANEAN—ETHNIC LOBBYISTS DIG IN  
FOREIGN POLICYMAKING  
(By Kevin P. Phillips)

There is a longstanding concept that the United States is the richer for being an ethnic meltingpot—a nation of strength through diversity.

In recent years, it has become apparent that the meltingpot is an illusion, and that ethnic identity is not only persisting but taking on renewed importance. Unfortunately, this same trend carries over to the international sphere. More than at any time since World War II, ethnicity is a major factor in shaping U.S. foreign policy.

Consider the Eastern Mediterranean. It is probably one of the most volatile and strategic

areas in the world, but our policymakers cannot pursue national interests without first fighting their way through powerful ethnic lobbies—notably Greek and Jewish—whose interests are more parochial than those of the United States.

Time Magazine recently ran an instructive piece on the "Greek Lobby" captained by Democratic Congressman John Brademas of Indiana and ex-GOP Treasury Department official Eugene Rossides. Washington representative of the American-Hellenic Institute. Angry at Turkish activities in Cyprus, the Greek Lobby is trying to convince Congress to maintain the ban on arms to Turkey. In response, the Turkish government—if the U.S. does continue the arms embargo—may close U.S. military bases that Washington considers vital. When the votes in Congress are counted, what happens to American interests in Turkey may depend less on strategic considerations than on the maneuverings of the Greek lobby.

Only a few hundred miles away, a kindred situation prevails with regard to Israel and the Arabs. American policy is strongly affected by the influence and power of the U.S. Jewish community. Back in 1973, before he retired from the Senate, Foreign Relations Committee Chairman J. W. Fulbright appeared on the program "Meet the Press" and was asked if under certain circumstances, the United States might not be wise to cut off aid to Israel. Fulbright said "Yes, but the United States Government is not capable of doing that, because the Israelis control the policy of the Congress and the Senate . . . the emotional and political ties are too strong. I have witnessed that. I can speak from my own experience in the Senate." In November, 1974, the Israeli newspaper Haaretz ran a detailed article on the operations of the Washington lobby—the American-Israel Public Affairs Committee. Said Haaretz: "The office looks like an operational center. The walls are covered with maps, a board and different signs; this enables those in the office to know the status of every bill or amendment brought to debate in both Houses of Congress."

Here it is appropriate to note, however, that ethnic debate is not so one-sided as in the Greek-Turkish conflict. There are hardly any Turkish-Americans (and the Washington Turkish lobby is non-existent), but the Arab lobby in Washington is growing. Officials of the National Association of Arab-Americans met with President Ford and Secretary Kissinger several weeks ago.

Looking westward from Israel, one can find several other American ethnic influences on foreign policy. Take the case of Portugal, where the mid-Atlantic Azores Islands are totally out of sympathy with the Communist-tilted Lisbon regime. There is a big U.S. Air Force base in the Azores, and most Azoreans have relatives in the United States—as many people of Portuguese-Azorean descent live in Massachusetts and Rhode Island as in the islands themselves. Not surprisingly, there has been talk among Azorean islanders of seceding from Portugal and attaching themselves to the United States. Azorean-Americans in New England have picked up this idea, and the U.S. State Department is understandably nervous that such speculation might upset Portugal.

Some of the ethnicity in U.S. foreign policy is benign like the recent visit to Norway of Senators Hubert Humphrey and Walter Mondale, both of Norwegian descent. But in Mediterranean policymaking, ethnic lobby operations are something less than a boon to clear-minded pursuit of American interests.

That is why I sincerely sought language in grammar school, because I know, from my own life, that it is a serious matter and one that we had better

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take a look at. I wish the Members would read it in the RECORD.

It has not strengthened my resolve to vote the way I am going to vote, but it is a matter that is so serious to my principles, because I believe that we should disengage ourselves from addressing Americans as Greeks, Italians, Jews, or Irish, and we should not go back to the days of the early 1930's and live through that type of thing.

Mr. FRASER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, unlike other speakers who have referred to the earlier votes on the cutoff of aid to Turkey and have now looked at it retrospectively as a mistake, I think it was the right thing to do at that time. Mr. Sisco told the Turkish Government at the time the Cyprus crisis was in progress that if the Turkish Government went too far, a likely reaction would be an aid cutoff by Congress.

So when we cut off the aid, in effect we were reinforcing the diplomacy of the executive branch.

I supported the aid cutoff because it seemed to me it did give some force and vitality to the American law which said that our weapons shall not be used for offensive purposes.

The bill in front of us does not restore the aid. The bill in front of us is a partial restoration only for pipeline aid, but no new sales are authorized, and the pipeline aid attributed to grant aid is withheld completely. In my view, one can have a good argument either for or against the bill without any difficulty. The central issue, in my judgment, centers on the welfare of the refugees on Cyprus and the problems facing both the Turkish and Greek Cypriots. They are at the center of this controversy and it is their welfare that should be our concern.

In my view, the United States is one now of three parties, the United States, Greece and Turkey, and we are the ones who can show that we are not frozen in cement. We are the ones who are somewhat removed from the emotions of the controversy and can indicate some modest movement, in the hope of getting negotiations started.

I am not optimistic the negotiations will start if we pass this bill, but I am reasonably convinced that if we fail to pass the bill there will be no help to the refugees of Cyprus and no movement toward a resolution of the political problem, and this is what concerns me very deeply.

George Ball testified before our committee against the bill when it was in the committee. He said that we have to uphold the American law that forbids the use of American weapons for offensive purposes. But he said the United States should do something. He said the United States should move, we should not remain fixed and frozen.

I called him yesterday and I asked him what his view was of the committee bill after we had amended it so that no new sales would be permitted until after the authorization bill is passed this fall. He said that, in his view, it would be wiser to pass the bill in the amended form than to kill it.

I refer to George Ball for two reasons. One is that, in my judgment, throughout the past decade his wisdom on foreign policy has been demonstrated to be considerably greater than that of many other people who seek to advise us.

He was right on Vietnam from the beginning. He was one of the very few who were right from the beginning.

He was also against this bill in its earlier form, but he now thinks we should pass it because of the added provisions which the committee has adopted.

Let me add that the military aid is not a significant factor in the military balance. Greece has over \$600 million in the pipeline. That is money which is flowing to Greece today. Greece continues to be eligible for new sales every day. The pipeline amount we would release for Turkey is one-third of the pipeline amount currently available to Greece, and no new sales are available until we take a second look at this problem later in the fall.

Mr. Chairman, let us consider as the principal problem the welfare of the Cypriots, both the Greeks and the Turks, and let us recognize that we are the only one of the three parties that can show a modest degree of movement on this issue—the same kind of movement we have asked of Israel, the same kind of movement we asked of Egypt, and the same kind of movement we asked of Syria. We ask this of other countries in the Middle East and elsewhere; we ask them to show movement when it comes to these political problems.

Mr. Chairman, I suggest that we can now show some movement of our own.

Mr. RUSSO. Mr. Chairman, I move to strike the requisite number of words.

(Mr. RUSSO asked and was given permission to revise and extend his remarks.)

Mr. RUSSO. Mr. Chairman, I rise in strong opposition to S. 846. In February of this year we imposed an embargo on arms shipments to Turkey because a principle and a rule of law was violated.

Let us look at history since February 5 of this year. What reason can we give our constituents and the American people for us to change our position on this matter? Why should we change our stand now? What has Turkey done to prove its good faith to justify such a change now?

I will tell the members what they have done. They have brought in Turkish citizens to increase their population on Cyprus in order to later justify holding 40 percent of that island. They have grown poppies in the section which is occupied by the Turkish army. They are circulating Turkish money, and operating on Turkish time in the occupied section. In addition, they are oppressing 200,000 refugees. That is what they have done since February 5 of this year.

So now it is suggested we go to the American people and tell them that the Congress in all its wisdom, based on all the things we have seen since February 5, is now going to reverse its stand and principles and the rule of law.

What kind of precedents are we going to set in this Congress today if any country, no matter how large or no matter

how small, can blackmail the United States by saying, "We are going to take away your bases if you do not do what we want"?

I asked the President and I asked the Secretary of State:

What assurances do we have that if we give them the arms, 6 months from now they will not still be violating this agreement and they will not still be suppressing the population of Cyprus?

And he said:

Well, you know you can just change the law. You can reimpose the embargo.

Mr. Chairman, let me tell the members what will happen 6 months from now if we do that. They can still take away our bases. So what have we accomplished at the end of 6 months? We will have destroyed our image throughout the world; we will have destroyed our prestige and our standing in the world.

We have had the experience of what has happened in Vietnam, and now it is proposed that we cave in to foreign pressure once again. We will see other countries imposing this will on us by blackmailing us with the threat of closing our bases.

The Turks say that they want some sign from the United States. We have given them a great sign. The Senate has passed the raising of the embargo.

What else do they need? All we ask is that they show us some good faith—just some. They do not want just a little give-and-take on their part; they want the entire ball of wax. They say, "Either it is our way or no way."

The gentleman from Arizona (Mr. RHODES) asked:

What does this do to America? I will tell the minority leader what this does to America. It makes us succumb to blackmail; it compromises our position in the world.

The gentleman from Arizona agrees with certain statements that were made that the Turks had a right to move in. I may not agree with him, but I will give him the benefit of the argument and say that maybe in the initial stages they had some reason to move in.

But why was it necessary to take over 40 percent of the island—using U.S. arms and U.S. military equipment in doing so. There was no need for that aggression.

So, Mr. Chairman, I will just reemphasize to my colleagues of the House that this is a question of law, this is a question of principle. These are the things we ought to be voting on here. This is not a Greek question or a Turkish question. It is a question of principle of law, a question of what this Government stands for.

I urge that the House defeat S. 846.

Mr. MORGAN. Mr. Chairman, I won't say whether we can dispose of the amendment. I think it is a good one. I do not think anybody is objecting to it.

The CHAIRMAN. Is the gentleman from Pennsylvania making a unanimous-consent request?

Mr. MORGAN. I am, Mr. Chairman. I ask unanimous consent that the vote occur right now on the Goodling amendment and all amendments thereto.

The CHAIRMAN. Is there objection

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to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. Goodling).

The amendment was rejected.

Mr. HAYS of Ohio. Mr. Chairman, I move to strike the requisite number of words.

(Mr. HAYS of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HAYS of Ohio. Mr. Chairman, I would like to reply to some parts of the speech made by my good friend, the gentleman from Illinois (Mr. Russo).

In the beginning, let me say that I have been expecting a poppy to sprout on the floor here all day, and finally one did.

There is not a scintilla of evidence that I have been able to find anywhere at all that the Turks have grown one poppy on Cyprus that was not already an ornamental flower in somebody's front yard. In fact, Cyprus does not have the right climate for poppies.

However, while I am on the subject of poppies, as we know, the Turks banned their farmers, who have been growing them for years, from growing them for 2 years. The farmers are a very peculiar breed. They are like the American farmer. They do not want to be told what they can grow and cannot grow.

There was a big political uproar about it. I brought this matter up with Turkish Government officials, and they said:

We quit growing poppies, but your drug problem just kept going on. They grew more in Thailand, to whom you are giving arms and aid. They grew more in Latin America, to whom you are giving arms and aid. We don't understand your problem, really.

I said:

What do you mean, that you do not understand it?

They said:

We do not have any drug problem in Turkey.

I said:

How do you handle it?

They said:

Anybody who is caught with heroin or opium on his person and does not have it through a doctor's prescription gets 25 years in the slammer, and there is no time off for good behavior.

If any Member thinks that that is not a deterrent, let me take him for a look inside of one of the Turkish jails.

Members of the House, that makes a lot of sense.

What happens to a pusher in this country, up in New York or out in Ohio, in my State?

The gentleman from New York (Mr. Koch) said that they do not have any, but I do not think he has been there lately. I know that he goes home every week, so there has to be some discrepancy somewhere.

Anyhow, they make an arrest of a pusher. He gets a good lawyer and gets out on bail. He makes enough to pay the lawyer while out on bail. They get a continuance. They get another continu-

ance, and they get another continuance. Finally, they get a suspended sentence.

That is about what happens, and we are not going to solve the drug problem by trying to shift it over to the Turks. In no way are we going to do that. Therefore, I do not think that that is really an issue.

Mr. Chairman, many times the gentleman from Minnesota (Mr. FRASER) and I have disagreed vehemently about things, but I want to associate myself with his statement that the key thing out there is the same thing that has been the key to the festering situation in the Middle East for 25 years. The thing we ought to be thinking about is those 120,000, 140,000, or 160,000—depending upon whose figures one takes—Cypriot refugees.

As the gentleman from Minnesota said, we are about the only party that is not frozen in concrete and who can make a small gesture to try to get negotiations started. I am a little more sanguine than he is that we will get them started, but I am not blatantly optimistic. However, for 5 months nothing has happened.

If we go on in this way for another year, nothing more will happen, and in another year the problem just gets worse.

George Ball and Cyrus Vance suggested a 3-month lifting of the ceiling, and that would be kind of offensive to the Turks and would be putting them under the gun for 3 months again, but that is, in effect, what this bill is doing.

It is a suspension. But let me add that the whole arms sales agreement will expire at the end of this month, and unless it is renewed nobody will be able to buy any arms or get anything on credit, or anything else. So we will have a chance in October to take another look at this. If there has not been any movement by that time then we may want to decide to do something. But right now I think this is the one thing that will give the present Prime Minister of Turkey—and please remember, this is not the same man who was the Prime Minister when the invasion of Cyprus occurred, and he is not the same man who took the extra territory.

I think this will give him a little flexibility to go to his people and say, "The Americans have broken the stalemate, I am going to make a concession."

I believe that he will do that, and I think he can do it.

But at the moment, Mr. Chairman, I submit that he is getting the same arguments that we are getting here today, only in reverse. The former Prime Minister of Turkey, Mr. Excevit, is running all over Turkey saying:

I'm the hero of Cyprus. I'm the one who rescued the Turks from the Greek barbarians.

I do not agree with that, but that is what he is saying. And he is saying:

And now the bum wants to give it away. And why is he giving it away? Because the Americans are threatening him that if he doesn't do it he can't have any more arms. They are blackmailing him.

He is using the same language.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. HAYS of

Ohio was allowed to proceed for 2 additional minutes.)

Mr. HAYS of Ohio. So, Mr. Chairman, the people over there in Turkey are saying the same thing in reverse that the Members on the floor are saying here today, that he is yielding to blackmail.

I am a pragmatic enough politician to think we have got to give the present Prime Minister of Turkey, Mr. Demirel, some maneuver room.

I do not know how familiar the Members are with the Turkish Constitution, but the former Prime Minister, Mr. Excevit, evidently was not familiar with it at all. He resigned in the expectation that there would be a new election, and he would get an overwhelming mandate as the hero of Cyprus. He had not read the new Constitution that says that sure, you can go ahead and resign, but before there can be a new election a majority of the Parliament has to vote for it. And he did not have a majority.

So then Mr. Demirel, the leader of the opposition party, was able to put together a coalition.

So I just wanted to inform the Members that this is not the old Government of Turkey that did the deed, this is a new government. It is just the same as the fact that we cannot blame the next administration for the sins of Watergate. So it is an analogous situation and a comparable situation.

Mr. Chairman, I think we have it within our grasp today to make a move that may well get the negotiations started so that we can get a majority of these refugees back home again and really get some progress made. I think this is in the interest of the United States, I think it is in the interest of Turkey, and I think the bottom line is it is in the interest of Greece.

Mr. LEVITAS. Mr. Chairman, I move to strike the requisite number of words.

(Mr. LEVITAS asked and was given permission to revise and extend his remarks.)

Mr. LEVITAS. Mr. Chairman, I hope that soon we will be able to proceed with a vote on this bill, on the merits of this bill, without regard to the possible amendments that might have been offered, one of which I had hoped to offer as an effort to find a means of compromise. But after evaluating the possibilities available to us it seems to me that the most advantageous approach to take is to determine whether this is, in fact, a compromise that we are considering, and if we reject it, then move to a position which would in fact be a true compromise.

The Turks have been valiant and strong allies of the American people. The ties of friendship with the Greek nation have also been strong with the United States.

This is not a Greek or a Turkish issue, it is an American issue, Mr. Chairman.

One of the things that has disturbed me and apparently has disturbed other Members of this House, is that over the last number of years there has been a tendency to show greater and greater demonstrations of America's weakness and vacillation both in our domestic and in our foreign policies.

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This is another example of what we are about to do should this bill be enacted. We say and do one thing. We take one position, and then when somebody around the world says, "Boo!" to us, we cower, reverse our position, and go off in another direction.

If we lose our credibility and back off of the position that was taken for good reason earlier by this Congress and this Nation, then I say to the Members that other nations around the world will have sufficient justification to do the same thing in the future, and there will be no assurance that we will ever have a credible foreign policy established.

On June 23, Mr. Chairman, the Secretary of State, speaking at Atlanta, Ga., said this:

No country should imagine that it is doing us a favor by remaining in an alliance with us. Any ally whose perception of its national interest changes will find us prepared to adapt or end our treaty relationship. No ally can pressure us by a threat of termination; we will not accept that its security is more important to us than it is to itself.

Those are very persuasive words by the Secretary of State. He convinced me, and he convinced millions of Americans, but he seemed to fail to convince himself about this same principle, because after making that statement on June 23, he has brought to this House a bill which is a retreat, which is a backdown in the face of blackmail for the reasons that he rejected on June 23.

I had prepared an amendment to offer which I think would have been a good compromise, Mr. Chairman. It would have provided that the arms which are in storage and which have been paid for could be immediately delivered, but the rest would be deferred until September 30 of this year to see whether any movement toward a Cyprus solution took place.

Then, at the breakfast the other day at the White House, I had the occasion to ask a question of the President, who had said that if the Congress did not think that this bill and its concessions were working out well, then Congress could reimpose the embargo. That was the substance of the words of the President. I said:

Mr. President, if we should permit this embargo to be lifted and arms to be sold, and those arms were misused, or there were no substantial gestures made to resolve the Cyprus issue, what assurances would we in America and Congress have that something could be done about it, because the same bases and the same installations would still be held hostage in Turkey and still vital and still the subject of threat? What, then, would we be able to say? What would we be able to do about it?

I said:

Mr. President, would you give me and the other Members of Congress your assurance that if the embargo were reimposed by an act of Congress—as you said we could—adopted by a majority of the Congress, that you would not veto it and thereby shift the numbers game from a majority in Congress to a two-thirds majority? We are all familiar, Mr. President, with the consequences of that shifting majority.

The President said:

I cannot give you that assurance.

That was the substance of his response. I say to the Members, Mr. Chairman, if we cannot get that minimum assurance from the President that he would not frustrate the will of the majority of Congress about reimposing an embargo, then it becomes absolutely necessary for this bill to be defeated, and then immediately for us in Congress, together with the President, to move to a real, meaningful, and viable compromise so that the Turkish nation can have some flexibility and some moving room. But this Nation will not be blackmailed into retreat.

We are told that Turkish people are proud and will not be coerced. The present embargo is not a coercion. It was merely the carrying out of the provisions of our law. I would like to see this Congress pass a bill that would be a meaningful compromise. This bill is not. It is a surrender under threat. Americans, like our Turkish friends, are proud and strong people as well. Our weakness and vacillation would lead only to greater loss of credibility of our determination and ability to be credible. We will not be blackmailed into retreat.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RIEGLE. Mr. Chairman, I move to strike the last word.

(Mr. RIEGLE asked and was given permission to revise and extend his remarks.)

Mr. AMBRO. Mr. Chairman, will the gentleman yield?

Mr. RIEGLE. I yield to the gentleman from New York.

Mr. AMBRO. I thank the gentleman for yielding.

(Mr. AMBRO asked and was given permission to revise and extend his remarks.)

Mr. AMBRO. Mr. Chairman, today we are being asked to cast a vote in favor of resuming the granting and the sale of military equipment to Turkey. It is indeed ironic that we are being asked to take this action nearly a year to the day after that infamous Sunday—July 20, 1974—when the Turkish armed forces violated international and U.S. law by using American arms to invade the Island of Cyprus. As a result of this, and of the continued failure of our diplomatic efforts to bring about a resolution of this crisis, the Congress, in December 1974, attached a provision to the Foreign Assistance Act which had the effect of embargoing all further sales and shipments of military equipment to Turkey.

Since September, when the Congress first expressed its concern over these violations by means of mandating a cutoff of arms shipments, the administration has mounted a well-orchestrated public relations campaign aimed at reversing this policy. At times the campaign has been carried out by means which are unprincipled and of dubious legality. Thus, we have been treated to the spectacle of the U.S. Ambassador to Turkey appearing on a morning news program—CBS—and acting as a lobbyist for the Government of Turkey, urging the resumption of military aid. In addition, the integrity and patriotism of the ad-

ministration's opponents, both within and without Congress, has been impugned, and it has attributed the strength of its opposition to "ethnic politics." I represent this as an attempt to demean those who stand for an international posture on the part of our Nation that opposes aggression, whether by friend or foe. To do otherwise would be a betrayal of a fundamental principle of our foreign policy—to oppose aggression, not aid or acquiesce in it.

Unfortunately the leadership of our State Department is less concerned with principles than it is with displaying its dazzling diplomatic footwork on the world stage. Perhaps, we should borrow a quotation from a statement issued on July 20 by Adm. E. R. Zumwalt, retired Chief of Naval Operations, that "peace is too complicated to be entrusted to any single diplomat." Surely, the Secretary of State has not shown, in this recent lobbying attempt, that he understands the subtleties and complexities of waging a peace. In fact, I suspect that the attitude of the administration is the direct cause of Turkish intransigence.

Mr. Chairman, I am strongly opposed to the resumption of American military sales and aid to the Turkish Government while that Government refuses to abandon the aggressive posture it has assumed with respect to the island of Cyprus. We are told, in favor of ending the embargo, that we cannot expect Turkey to negotiate under the cover of our ultimatum. At the same time, we are treated to the Turkish Government's threats to terminate our military bases, if we do not resume the arms shipments.

I find this to be an interesting and rather tortured piece of foreign policy logic: Do not expect Turkey to succumb to threats, but we must give in, because we are being threatened. I suggest that this kind of capitulation to blackmail is unworthy of our country, and I reject it.

It is my strong feeling that the ban on future American arms to Turkey is not an "ethnic" and certainly not a Greek issue. It is a matter of fundamental American policy. S. 846 ill serves our longrun interests, and it is simply wrong in terms of morality, our traditions, our longrun interests as a civilized nation, and I rise to express my opposition to it.

Mr. RIEGLE. Mr. Chairman, I want to address my remarks, if I may, to anyone who is left in the Chamber who has not made a final judgment on this issue, because I think it is an issue that could be argued both ways. But I think there are a number of basic reasons that ought to lead one, whose mind is still open, to decide to vote against the lifting of this embargo.

I think one of the points that is important is the one just made by the gentleman from Georgia, and that is that he was unable in direct conversation at the White House with the President to secure a commitment that we could have a good-faith implementation by the executive branch of a move by this Congress later to reimpose the embargo, should we decide to suspend it at this time. That gets right to the heart of how the embargo has worked up until this



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time. It was the expressed will of the Congress to impose this arms embargo because of the illegal use, the violation of our laws and agreements, by the Turks in terms of this movement, the second movement, into Cyprus in which they took and have held some 40 percent of the land there.

But that embargo has not meant very much and has not produced very much progress, because it has been absolutely clear that the Secretary of State of the United States did not think that was the right thing to do. He said it was not the right thing to do and in every way, shape, and form, along with the President, has transmitted the message to the Turks that if they just stand firm this administration, taking their side, would be able to come here and twist our arms and otherwise pressure the Congress to remove this arms embargo without 1 inch of progress on the Cyprus question.

That has happened. We are being asked to violate our own laws which we made. I think we wrote these prohibitions in our laws in the beginning because they were right and served national interests. I do not want to see any ally use our arms to bully another of our allies. That has happened in this case. That is wrong and we must object to it.

Now many, many months have passed. We have this civilian refugee population, some 200,000 people on Cyprus, who are homeless. There are various estimates as to the numbers. There are no private assurances of progress. If there are any I do not know about them. They have not been conveyed to the International Relations Committee on which I serve.

Now I have been a Member of the Congress for 9 years and I served 6 years on the Foreign Operations Subcommittee of the Appropriations Committee and I have sat through the testimony by various Secretaries of State and other State Department officials who work on foreign policy questions. I cannot recall when the executive branch has done more to undercut a legal move by this Congress than in this instance.

I do not see any progress resulting from the time that these steps have been taken until now—principally, in my judgment, because of a less than good faith implementation by this administration.

There are two other things I want to say. There has been a great deal of talk about base rights. We have bases in Greece and bases in Turkey and both are important to us. I would like to see us keep both. In recent weeks I have had discussions with the Ambassadors of Turkey and Greece and Cyprus. I have listened to Mr. Colby talk at length about the importance of these bases. I would not like to see us sacrifice bases in either country.

But the real question is, can we be blackmailed on this issue? Because that is what is happening. If we lift this embargo, what is the message, not only to the Turks, but also to most other nations that get arms from us—as most do, sadly. They will know they, too, will be free to violate their agreement with the United States. They will know they can do whatever they want, sign any agreement with

us, and yet do whatever they want because we will sanction that behavior if we lift this embargo. We will be saying these agreements do not mean anything.

I think it will be an open invitation for countries in Latin America and other countries around the globe that receive arms from us to do whatever they want with those arms. They know they will be able to get away with it, just as Turkey will get away with it today if we lift this arms embargo.

So of course we ought not to do it.

There is no valid reason why progress cannot be made on Cyprus at the same time as we talk about lifting the arms embargo. The two things are linked. They have to stay linked. We have to have progress on both at the same time.

Mr. MORGAN. Mr. Chairman, we have been hearing a lot of talk about upholding principles. Of course, everybody is in favor of holding fast to our principles.

But holding to one's principles does not mean that we cannot change the law.

To the contrary, Mr. Chairman: The whole history of the United States is filled with examples of where we have maintained our cherished principles—and to do so, we have had to change the law.

I will cite not less than the Constitution of the United States—adopted nearly 200 years ago, for principles we hold just as dear today—

In order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.

No fewer than 26 times have we amended this Constitution—in behalf of our principles, not against them. The same is true of countless laws.

So, I say, let us take a good hard look at just what principle it is that we are trying to uphold here.

The principle is, we do not want our weapons used by our allies except for self-defense.

Well, if we leave the law the way it is, we are not helping that principle one bit when it comes to our two good allies, Greece and Turkey.

We do not want our two close friends and treaty comrades to turn against each other, with our arms or any others.

That is the principle we want to uphold here.

And to do so, we have to change the law.

Mr. KOCH. Mr. Chairman, I move to strike the last word.

(Mr. KOCH asked and was given permission to revise and extend his remarks.)

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. KOCH. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, I understand there are no more amendments. I ask unanimous consent that all debate on the committee amendment in the nature of a substitute close at 4:15.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that all debate on the committee amendment in the nature of a substitute close

at 4:15. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The gentleman from New York has been recognized already. The limitation of time cannot apply to the gentleman.

The Chair recognizes the gentleman from New York (Mr. KOCH).

Mr. KOCH. Mr. Chairman, I think it is important at this time to reemphasize a point we often make in the well, that there are some things that are right and there are some things that are wrong. It is wrong when we run out on a friend, when we leave simply because it becomes expedient or because we submit to extortion, and it is extortion that is being exerted at this time and we all know it.

Now, if we give in to that extortion, then the administration will use the very same arguments that it uses today vis-a-vis Turkey, toward Spain when Spain says that it demands certain onerous conditions if we are to continue our bases there. Are we going to submit to onerous conditions? The answer should obviously be no.

The same arguments could be used by the administration vis-a-vis Israel because of Arab blackmail. Hopefully, we will not submit to that extortion.

Then the President not very long ago said he would not see Alexandr Solzhenitsyn because the Soviet Union would be distressed, and not go forward with détente, a kind of Soviet blackmail. I think most of us would agree it was wrong for the President to give in to that kind of implicit extortion.

So what I am saying is that there are positions which involve morality that ought not to be surrendered, because we are told that if we do not surrender that we are going to be suffering severe consequences.

Mr. Chairman, we have to stay with our friends when our friends are right. We cannot be summer soldiers. To those people who would leave in the middle of this fight that this Congress won on four different occasions, I say to give up on that fight on July 24 would make us summer soldiers. Let us hang in there with our friends and continue not to yield.

Mr. MIKVA. Mr. Chairman, will the gentleman yield?

Mr. KOCH. I yield to the gentleman from Illinois.

Mr. MIKVA. Mr. Chairman, I want to associate myself with the remarks of the gentleman in the well.

(Mr. MIKVA asked and was given permission to revise and extend his remarks.)

Mr. MIKVA. Mr. Chairman, I rise today to urge the defeat of S. 846, as amended, the bill to resume arms shipments from the United States to Turkey. What is at stake today is not only a just resolution of the conflict on Cyprus but the integrity of American foreign policy. The use of American arms by Turkey in the invasion and subsequent occupation of almost half of Cyprus is in clear violation of American law. To resume the arms flow would legitimize the Turkish violation of our arms agreement which



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specifically prohibits the use of these arms for offensive purposes.

Mr. Chairman, on July 15, in Minneapolis, Secretary of State Kissinger gave a major foreign policy speech in which he said:

We have found ourselves doubtful of our virtue and uncertain of our direction largely because we have suddenly realized that like other nations before us we must now reconcile our principles with our necessities.

But if the administration's so-called compromise on Cyprus is a typical example, perhaps the real problem is a failure to realize that commitments to principles are necessities for a foreign policy worthy of respect and support by the American people.

The proposal to resume the flow of arms to Turkey has been labeled by the administration and Dr. Kissinger as a "compromise plan." But it is really a plan which compromises the principle of respect for duly passed laws. It is a plan which compromises the principle of moral responsibility of the United States to place and enforce restrictions on arms that we sell around the world. Without such restrictions, we are likely to witness the ever more frequent spectacle of American arms bringing down casualties on both sides of a confrontation. And it will be our sense of mortality which will be caught in the crossfire.

The proposal to lift the embargo is sure to compromise the trust that we want other people and countries throughout the world to have in the United States. In his speech, Dr. Kissinger said that an involved America is essential to peace and progress. I agree. But our involvement must be based on principles which are not conveniently brushed aside by necessities which are more illusory than real.

Mr. Chairman, the Turkish invasion of Cyprus has caused untold suffering on the island. We will only increase the likelihood of more acts of aggression and more suffering elsewhere if our message to other countries is that they can use American arms for aggressive purposes with impunity.

Perhaps the saddest aspect of the administration's "compromise plan" is that it compromises the long friendship between the people of Greece and the American people. It is not difficult to understand why the 200,000 Greek Cypriot refugees would view this plan not as a compromise but as a sellout, a sellout of what is right and just and decent. And I believe that millions of Americans would agree.

Mr. ROSENTHAL. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Georgia (Mr. YOUNG).

Mr. MORGAN. Mr. Chairman, I ask unanimous consent also to yield my time to the gentleman from Georgia (Mr. YOUNG).

The CHAIRMAN. Is there objection to the request of the gentleman from New York and the gentleman from Pennsylvania?

Mr. ASHBROOK. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The Chair recognizes the gentleman from Georgia (Mr. YOUNG).

Mr. YOUNG of Georgia. Mr. Chairman. I want to make three things very clear. One, I decided I would support this amendment. I thought I would have some trouble with this so-called Greek lobby, so I asked my staff to get the files on the votes and the letters that we received from our district the last time we voted this amendment, because I wanted to inform my constituents in advance that I thought it was in the best interest of this Nation to vote arms for Turkey. When I got this voluminous file and communications from the Greek lobby in my district, I had the sum total of 11 letters. So I have no political problems on the facts. I do not even need to write a letter.

Then I got the newspaper the next morning and I saw a \$385 million arms sale to Jordan. I said, "What have we got here?" There is no way to make peace by giving guns to everybody.

Then I remembered that almost identical arguments of national security and support of a NATO ally were used to supply Portugal with arms, in spite of their use in Mozambique and Angola.

What looked like national security in the short run has left Portugal Communist and the United States alienated from three new nations in Africa with tremendous resources.

I suggest Mr. Chairman, that the present pragmatic considerations may also backfire against our national interest and that this amendment be rejected.

The House should maintain its integrity and insist on the rule of law.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

The Chair recognizes the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Chairman, if this bill is rejected, in all probability that action will strengthen the radicals in Turkey. It will harden the position of the Turkish elements on Cyprus to the disadvantage of the Greek refugees. It will deny the United States leverage upon Turkish policy. It will intensify the feelings between Greece and Turkey on the offshore islands.

Mr. Chairman, for many reasons, this bill must be approved.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. BIESTER).

Mr. BIESTER. Mr. Chairman, I yield to the gentleman from Michigan (Mr. BROOMFIELD).

Mr. BROOMFIELD. Mr. Chairman, just a few moments ago I received a letter from the President of the United States. Of course, he is very hopeful that Congress will take favorable action on this legislation. He says in his letter:

THE WHITE HOUSE,  
Washington, D.C., July 24, 1975

HON. WILLIAM S. BROOMFIELD,  
House of Representatives,  
Washington, D.C.

DEAR BILL: Over the past several weeks, the Members of the House of Representatives have been giving close attention to the very important matter of restoring military assistance to Turkey.

As a result of my several meetings with Members, the top priority I attach to favorable action by the House is clear. It is an issue in which the strategic situation must be weighed, as well as the situation in the Middle East. Our facilities in Turkey and our mutual defense arrangements have played and continue to play a vital role in the security of the area and, more directly, in the security of our own forces. Mutual defense arrangements that have stood us well for thirty years should not be cast aside.

As we have devoted attention to this subject of such great importance to U.S. interests, I have been impressed by and I wish to commend the Congress for the bipartisan approach which has been taken. The restoration of U.S. military assistance to Turkey is a foreign policy issue in which many important factors must be weighed, and an issue with ramifications affecting all Americans. Restoration is clearly in the interests of the United States. It is in our interests as a member of the Atlantic Alliance and it is in the interests of all seeking a reduction of tensions in the Mediterranean region. I urge a favorable vote on this legislation by the House.

At the same time, I pledge my total commitment to working with the parties involved—Turkey, Greece and Cyprus—to assist in finding a just and equitable settlement to this dispute which is of such great concern to all Americans.

Sincerely,

GERALD R. FORD.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the Chair. Mr. SISK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the Senate bill (S. 846) to authorize the further suspension of prohibitions against military assistance to Turkey, and for other purposes, pursuant to House Resolution 626, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. FASCELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 206, nays 223, not voting 5, as follows:

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[Roll No. 429]

YEAS—206

Abdnor	Hagedorn	Nichols
Alexander	Hamilton	Obey
Anderson, Ill.	Hammer-	Passman
Andrews,	schmidt	Perkins
N. Dak.	Hansen	Pettis
Archer	Harsha	Pickle
Armstrong	Hastings	Poage
Ashley	Hays, Ohio	Preyer
Baldus	Hébert	Pritchard
Beard, Tenn.	Henderson	Quile
Bell	Hicks	Quillen
Bevill	Hightower	Rallsback
Blaster	Hillis	Randall
Bingham	Horton	Rees
Bolling	Hubbard	Rhodes
Bowen	Hungate	Risenhoover
Breaux	Hutchinson	Roberts
Breckinridge	Ichord	Robinson
Brinkley	Jarman	Rogers
Broomfield	Jeffords	Ruppe
Brown, Mich.	Johnson, Colo.	Ryan
Brown, Ohio	Johnson, Pa.	Satterfield
Broyhill	Jones, Ala.	Schneebeli
Buchanan	Jones, N.C.	Schulze
Burgener	Jones, Okla.	Sebelius
Burleson, Tex.	Jones, Tenn.	Shriver
Burison, Mo.	Karh	Shuster
Butler	Kasten	Sikes
Casey	Kazen	Sisk
Cederberg	Kemp	Skubitz
Chappell	Ketchum	Slack
Clausen,	Kindness	Smith, Nebr.
Don H.	Krueger	Snyder
Cleveland	Lagomarsino	Solarz
Cochran	Landrum	Staggers
Cohen	Latta	Stanton,
Collins, Tex.	Leggett	J. William
Conable	Litton	Steed
Daniel, Dan	Lloyd, Calif.	Steiger, Wis.
Daniel, R. W.	Long, La.	Stephens
de la Garza	Lott	Stratton
Dent	McClary	Stuckey
Devine	McCloskey	Symington
Dickinson	McCollister	Symms
Duncan, Oreg.	McCormack	Talcott
Edwards, Ala.	McDonald	Taylor, Mo.
English	McEwen	Teague
Erlenborn	McFall	Thone
Eshleman	McKay	Thornton
Evans, Colo.	Madigan	Treen
Evins, Tenn.	Mahon	Ullman
Fenwick	Mann	Van Deerlin
Findley	Mathis	Vander Jagt
Fish	Matsunaga	Waggonner
Flowers	Mazzoli	Walsh
Flynt	Meeds	Wampler
Forsythe	Melcher	Whalen
Fountain	Meyner	White
Fraser	Michel	Whitten
Frenzel	Milford	Wiggins
Frey	Mills	Wilson, Bob
Fuqua	Mitchell, N.Y.	Wilson, C. H.
Gibbons	Montgomery	Wilson, Tex.
Gilman	Moore	Winn
Goldwater	Moorhead, Pa.	Wright
Gonzalez	Morgan	Wyllie
Goodling	Mosher	Young, Alaska
Gradison	Murtha	Young, Fla.
Grassley	Myers, Ind.	Young, Tex.
Guyer	Myers, Pa.	Zablocki

NAYS—223

Abzug	Burke, Fla.	Downing, Va.
Adams	Burke, Mass.	Drinan
Addabbo	Burton, John	Duncan, Tenn.
Ambro	Burton, Phillip	du Pont
Anderson,	Byron	Early
Calif.	Carney	Eckhardt
Andrews, N.C.	Carr	Edgar
Annunzio	Chisholm	Edwards, Calif.
Ashbrook	Clancy	Ellberg
Aspin	Clawson, Del	Emery
AyCoin	Clay	Esch
Badillo	Collins, Ill.	Evans, Ind.
Bafalis	Conlan	Fary
Barrett	Conte	Fascell
Baucus	Conyers	Fisher
Bauman	Corman	Flithian
Beard, R.I.	Cornell	Flood
Bedell	Cotter	Florio
Bennett	Coughlin	Foley
Bergland	Crane	Ford, Mich.
Biaggi	D'Amours	Ford, Tenn.
Blanchard	Daniels, N.J.	Gaydos
Blouin	Davis	Gialmo
Boggs	Delaney	Ginn
Boland	Dellums	Green
Bonker	Derrick	Gude
Brademas	Derwinski	Haley
Brodhead	Diggs	Hall
Brooks	Dingell	Hanley
Brown, Calif.	Dodd	Hannaford
Burke, Calif.	Downey, N.Y.	Harkin

Harrington	Mink	Roush
Harris	Mitchell, Md.	Roussetot
Hawkins	Moakley	Roybal
Hayes, Ind.	Moffett	Runnels
Hechler, W. Va.	Mollohan	Russo
Heckler, Mass.	Moorhead,	St Germain
Hefner	Calif.	Santini
Helstoski	Moss	Sarasin
Holland	Mottl	Sarbanes
Holt	Murphy, Ill.	Scheuer
Holtzman	Murphy, N.Y.	Schroeder
Howard	Natcher	Seiberling
Howe	Neal	Sharp
Hughes	Nedzi	Shipley
Hyde	Nix	Simon
Jacobs	Nolan	Smith, Iowa
Jenrette	Nowak	Spellman
Johnson, Calif.	Oberstar	Spence
Jordan	O'Brien	Stanton,
Kastenmeier	O'Hara	James V.
Kelly	O'Neill	Stark
Keys	Ottenger	Steelman
Koch	Patman, Tex.	Steiger, Ariz.
Krebs	Patten, N.J.	Stokes
LaFalce	Patterson,	Studds
Lehman	Calif.	Sullivan
Lent	Pattison, N.Y.	Taylor, N.C.
Levitas	Pepper	Thompson
Lloyd, Tenn.	Peyser	Traxler
Long, Md.	Pike	Tsongas
Lujan	Pressler	Udall
McDade	Price	Vander Veen
McHugh	Rangel	Vanik
McKinney	Regula	Vigorito
Maddison	Reuss	Waxman
Maguire	Richmond	Weaver
Martin	Riegle	Whitehurst
Metcalfe	Rinaldo	Wirth
Mezvinsky	Rodino	Wolf
Milka	Roe	Wyder
Miller, Calif.	Roncalio	Yates
Miller, Ohio	Rooney	Yatron
Mineta	Rose	Young, Ga.
Minish	Rosenthal	Zeferetti
	Rostenkowski	

NOT VOTING—5

Carter	Fulton	Hinshaw
Danielson	Heinz	

So the bill was not passed.

The Clerk announced the following pairs.

Mr. Danielson with Mr. Heinz.  
Mr. Fulton with Mr. Carter.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to revise and extend their remarks in the course of the consideration of the Senate bill, S. 846, which was just defeated.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

## PERSONAL EXPLANATION

(Mr. ANDREWS of North Carolina asked and was given permission to extend his remarks at this point in the Record.)

Mr. ANDREWS of North Carolina. Mr. Speaker, today I have voted in opposition to S. 846 fully cognizant of the serious implications which this legislation poses for the United States. My review of the legal and foreign policy aspects of the problem indicate that each of the conflicting positions has considerable merit. This is an extremely complicated measure reflective of the events which have taken place in a region of complexity involving two of our Nation's

most valued allies. I am continuing my study of this matter with a view to developing a more thorough and comprehensive understanding of these issues.

## AMENDMENTS TO NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5447) to amend the act of August 16, 1971, as amended, which established the National Advisory Committee on Oceans and Atmosphere, to increase and extend the appropriation authorization thereunder, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate amendments, as follows:

Page 2, line 1, strike out "two" and insert: "2".

Page 2, lines 4 and 5, strike out "each of".  
Page 2, line 5, strike out "years" and insert: "year".

Page 2, line 5, strike out "1977, and 1978." and insert: "1977.".

Page 2, after line 5, insert:  
Sec. 2. Section 4 of such Act (33 U.S.C. 857-9) is amended—

(1) by inserting after "review of" and before "the progress" the following: "national ocean policy, coastal zone management, and"; and

(2) striking out "the President." at the end of the second sentence thereof and inserting in lieu thereof "the President and the Congress."

Amend the title so as to read: "An Act to amend the Act of August 16, 1971, as amended, which established the National Advisory Committee on Oceans and Atmosphere, to increase and extend the appropriation authorization thereunder, and for other purposes."

Mr. MOSHER. Mr. Speaker, I agree with my subcommittee chairman, Mr. MURPHY, in supporting the conference report on H.R. 5447, a bill to extend the authorizations for the National Advisory Committee on Oceans and Atmosphere. I agree with only a minor reservation.

Our Committee on Merchant Marine and Fisheries approved H.R. 5447 on May 16 of this year. The House subsequently considered and approved this authorization on May 19. The bill as passed by the House would have increased the level of authorizations from \$400,000 to \$445,000 for the fiscal years to and including 1978.

The other body has considered this legislation and has passed favorably upon it with the addition of three amendments. These Senate changes to our original bill would accomplish the following:

First. It would extend authorization for NACOA for 2 years as opposed to our suggested 3 years;

Second. Instead of requiring NACOA to be exclusively responsive to direct requests by the President, it would add a section to require that the Advisory Committee would have to respond to requests from the Congress and the President.

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This amendment would permit Congress to request reports on specific subjects from the Advisory Committee; and

Third, The responsibilities of the National Advisory Committee on Oceans and Atmosphere would be broadened to include coastal zone management issues and national ocean policy.

None of the above amendments concern me greatly enough to request a conference with our Senate colleagues—as a matter of fact, I feel that the other body's amendatory language does strengthen our original bill in some respects.

My only reservation in this matter rests with the so-called "broadening section" of the amended bill.

By adding specific subject areas upon which we expect NACOA to concentrate, I fear that we may be restricting this committee to a more limited scope than was originally intended.

When the Advisory Committee was established in the 92d Congress, we directed them to undertake a continuing review of the progress of marine and atmospheric science and service programs of the United States. They were also directed to advise the Secretary of Commerce with respect to the carrying out of the purposes of the National Oceanic and Atmospheric Administration. Since the Coastal Zone Management Office is an integral part of NOAA, it is clear to me that NACOA has the necessary mandate to oversee and comment upon coastal zone management issues. NACOA has, in fact, addressed coastal zone issues in two of their four annual reports to the Congress.

This committee presently has the broadest possible scope upon which to focus its activities. I feel that they have done an exemplary job in accomplishing their intended objectives, and I want them to continue to have the necessary flexibility and independence to continue their work productively.

I have chosen to concur with the amended version of H.R. 5447, but I do so with the reservations I have indicated today.

I trust that this broadening language will not be interpreted by the Congress or NACOA to restrict their activities in any way. I am very impressed with the job they have done so far, and I feel strongly that our Nation needs to continue to receive advice from groups of this stature.

Let us not, even by implication, limit their mandate as they proceed in advising us and the President on the crucial issues which we all must face in today's complex world.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 5447, just considered by the House.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

## PERMISSION FOR COMMITTEE ON ARMED SERVICES TO FILE CERTAIN REPORTS

Mr. PRICE. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services have until Saturday midnight, July 26, 1975, to file a report on H.R. 1287, a bill to amend the United Nations Participation Act, and House Concurrent Resolution 198, expressing the opposition of the Congress to any change in the present method of providing financial support for military commissaries through appropriations to meet their payroll costs, and H.R. 7642, a bill to amend chapter 5, title 37, United States Code, to extend the special pay provisions for veterinarians and optometrists.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

## PERMISSION FOR COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO HAVE UNTIL MIDNIGHT FRIDAY, JULY 25, 1975, TO FILE REPORT ON H.R. 8564, AMENDING FEDERAL AVIATION ACT OF 1958 RELATING TO WAR RISK INSURANCE

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and Transportation have until midnight Friday, July 25, 1975, to file a report on H.R. 8564, amending the Federal Aviation Act of 1958 relating to war risk insurance.

The SPEAKER pro tempore (Mr. JOHN L. BURTON). Is there objection to the request of the gentleman from California (Mr. ANDERSON)?

There was no objection.

## ANNOUNCEMENT OF FURTHER LEGISLATIVE PROGRAM

Mr. O'NEILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'NEILL. Mr. Speaker, I rise to announce the program for the remainder of the day.

Mr. Speaker, at this particular time we intend to follow with H.R. 5900, equal treatment of craft and industrial employees. We will vote on the rule and debate the bill. We will rise at 6:30. Tomorrow morning we will meet at 10 o'clock, and we will continue with the legislation H.R. 5900. Following that we hope to take the rule on H.R. 5210, military construction authorization, and follow with general debate only.

Mr. RHODES. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the distinguished minority leader.

Mr. RHODES. I thank the gentleman for yielding.

Is it the intention of the distinguished majority leader to proceed to conclusion with action on the bill tomorrow?

Mr. O'NEILL. The answer is in the affirmative.

## PROVIDING FOR CONSIDERATION OF H.R. 5900, PROTECTING ECONOMIC RIGHTS OF LABOR

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 631 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 631

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5900) to protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The Chair recognizes the gentleman from Florida (Mr. PEPPER.)

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from California (Mr. DEL CLAWSON) pending which I yield myself such time as I may consume.

(Mr. PEPPER asked and was given permission to revise and extend his remarks.)

Mr. PEPPER. Mr. Speaker, this rule is the usual rule providing for an open rule with 2 hours of general debate on H.R. 5900, a bill protecting the economic rights of labor.

House Resolution 631 provides that it shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Education and Labor, now printed in the bill as an original bill for the purpose of amendment, under the 5-minute rule.

Mr. Speaker, as the committee report in this matter makes it clear on page 3, H.R. 5900 is necessary in order to overrule the decision of the U.S. Supreme Court in the Denver Building Trades Council decision. It that case as it appears in the report, a general contractor in Denver named Doose & Lintner had a contract with the Denver Building

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and French manufacturers. The environmental group also noted that the draft EIS lists the Concorde's maximum range at 3,800 statute miles, and then goes on to state that the distance from Paris to Dulles Airport, one of the proposed routes, is 3,838 statute miles. This discrepancy is a reflection of the kind of incomplete analysis upon which the FAA is making a major decision. The arguments for permitting the operation of the SST in the U. S. are unsubstantiated; however, the arguments against it raise serious questions.

It is evident that the SST is a wasteful, destructive and noisy machine. It uses three times the fuel for each of its 100 to 125 passengers as the jumbo jets use for each of their 200-400 passengers. Their widespread use would certainly be an unnecessary aggravation of the current energy shortage. The emissions from the plane, which flies in the stratosphere, where pollutants remain for an inordinately long period, will have a detrimental effect on the ozone layer. The ozone layer provides our only protection from dangerous ultraviolet radiation. Additional research into this effect is certainly needed before any decision can be made.

The low frequency noise the SST produces on take-off spreads over a great distance and dissipates slowly; however, the draft EIS is devoid of any meaningful commentary on the problems of noise dispersion, with incomplete contour maps that do not consider the low-frequency rumble caused by the supersonic aircraft.

Department of Housing and Urban Development statistics have shown that noise on take-off and landing from only four SST flights daily at JFK Airport in New York City would place an additional 2,500 people under conditions which the Department describes as "unacceptable." Twenty-five flights daily into that Airport would place yet another 10,000 people under the same unacceptable conditions. Though the structures in which these people live may be able to withstand these conditions, it is well documented that high noise and vibration levels can have a distressing effect on individuals. The psychological damage to these people that will result is incalculable.

The FAA has shown itself to be unwilling to bar the SST from United States Airports, and so it is up to the Congress to put a halt to this blind, senseless technology which is applied at the expense of the general public. Putting both the airlines and the manufacturers on notice now that the environmental destruction which the Concorde cause is too great a burden for us to accept, will be an effective method for preventing the further construction and development of this wasteful machine.

Apart from the environmental concerns, some questions have been raised regarding the State Department's handling of the issue with the British and French governments. I hope that these hearings will be able to shed some light on this area. Many serious allegations against former President Nixon, the State Department, our ambassador to France, Mr. Arthur Watson, FAA administrator John Shaffer and against other high government officials have been made, regarding the making of unauthorized commitments to grant permission for landings to Britain and France. Before any decision is made concerning SST operations, we must look into these charges. Were assurances of U.S. operation given by the FAA in clear violation of the law requiring impact studies be performed? Did President Nixon write to the British and French Prime Ministers, as it is my understanding he did, indicating that he would do all he could to insure that the Anglo-French Concorde be "treated equitably in the United States"? I have written to President Ford concerning letters possibly written by former President Nixon to former Prime Minister Heath and former President Pompidou on

January 19, 1973, concerning White House support for the Anglo-French Concorde. I received in reply a letter stating that these letters were unavailable because they were subject to the Order of the United States District Court in the case of *Nixon v. Sampson, et al.*

I am concerned that the Administration had already made a decision regarding the SST by the time those letters were written by Mr. Nixon on January 19, 1973, and that the results of the formal proceedings and tests that are being undertaken as part of the decision making process will not be the determining factor in the FAA's decision on this issue. The Congress has a definite responsibility not to let the SST into this country until these questions are answered, especially in view of the dire environmental consequences which the FAA has evidently chosen to ignore. The FAA has also chosen to ignore the wishes of Congress and the American people not to permit the SST to fly in this country which were clearly expressed in 1971 when further appropriations for an American SST were voted down.

While the State Department does admit that it has assured the British and French governments that the Concorde would be treated "fairly in all aspects of U.S. Government regulation," it denies that any promises have been made regarding landings in the U.S.

Through these admissions, the State Department attempts to make that argument that the Congress must not prevent SST operations in this country, because to do so would be to go over the heads of the proper government regulatory agencies, a move which might be interpreted by the British and French as prejudicial treatment, and thus possibly affect U.S. trade with those countries. However, we must look beyond this very narrow view of the SST to what is best for the citizens of the United States. We should remember that the Governments of France and England were looking after their own people when they closed their airports at night, requiring preferential runways to protect their people on the ground. Until it is made clear exactly what type of commitments President Nixon or President Ford may have made regarding the SST, it will be very difficult to fully understand the State Department's motives in making these pleas for the SST. The questions that have been raised recently regarding State Department pressure on the FAA to approve SST flights must be investigated. We cannot allow political considerations to be introduced into this issue in a manner which may compromise the National Environmental Policy Act. This should be the only standard upon which the decision is based. Until all of the questions regarding the FAA's handling of the SST have been satisfactorily answered, I believe it is unconscionable that we could even seriously consider beginning SST operations in the United States.

## TRUTH IN BUDGETING ACT OF 1975

Mr. SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. BLANCHARD) is recognized for 10 minutes.

Mr. BLANCHARD. Mr. Speaker, the 93d Congress took a giant step forward in passing the Congressional Budget and Impoundment Control Act of 1974. This act went a long way in returning to Congress its rightful control over the budget. If we are to remain a full and coequal branch of Government, however, we must go one step further.

Congress should not sacrifice its right to review, expand, or contract programs. Under the current budgetary mechanism,

where detailed reviews are conducted only for budgetary increases we have, in effect, sacrificed our duty and power to oversee the the Federal bureaucracy. Congress must not only consider requests for budgetary increases, but we must also review all Federal spending.

Today, I am introducing the Truth in Budgeting Act of 1975. This bill will require the Congress to evaluate and review all Federal spending programs at least once every 2 years. No longer will programs be allowed to continue ad infinitum, without formal review. Administrators will now be required to justify their programs' existence on a regular and continuing basis.

A good case can be made that some programs, after a period of years, no longer serve the purposes for which they were intended and should probably be discontinued. The proper route for such pruning, however would be through a periodic review of programs by Congress during the budget cycle rather than through unilateral Presidential action without the benefit of congressional hearings or review.

The Truth in Budgeting Act of 1975 requires an evaluation of all Federal programs every 2 years from the ground up to be conducted by the respective standing committee in the House and Senate. The committees should determine, among other things, whether the programs' objectives remain relevant, whether the methods used continue to be the best possible methods considering the available funds, and whether the program is having a substantial impact and if not, why not.

The results and recommendations arising from these reviews will then be submitted to the Budget Committees of the House and Senate. It is my belief that with the increased information generated, Budget Committees as well as the House and Senate will be far better able to review the overall budget.

Currently, we in the Congress devote the bulk of our time to studying new programs and budgetary increases. This bill will force both Federal agencies and Congress to conduct a detailed examination of the total spending of a program, not just the requested increase. The academics call it zero-base budgeting, I call it good sense.

Zero-base budgeting would require that each program be periodically reviewed and justified from the ground up. Each program would be broken down into discrete activities which are then described in concise "decision packages." Each decision package enumerates alternatives—and mutually exclusive—ways of performing a given activity and also specifies different levels—increments—at which the activity could be carried on. Both the alternatives and increments for the activity, are evaluated in terms of their probable costs and benefits. They are also weighed against other activities carried on by the Government, all of which have been analyzed in similar decision packages. With this increased knowledge, Congress can then select the activities, methods of pursuing these activities, and levels of operation

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In 1972 we had the only reserve of wheat in the world and instead of treating it as a valuable commodity and demanding its value, the Department even subsidized its sale at an extremely low price and the Department kept secret the increased demand due to bad weather in the Soviet Union until big grain exporters could buy contracts on the Board of Trade for several hundred million bushels at low prices, thus indirectly transferring the cost of this secrecy to producers and local grain dealers.

In 1975, it appears we have adequate supplies of grain and the possibility of cornering the market is negligible especially in view of the fact that we now have a Commodities Commission with authority to keep the market honest. If supply estimates hold up, an increase in Soviet purchases of 10 million tons of wheat and 10 million tons of feed grains will only prevent U.S. grain prices from dropping to extremely low levels; but are not likely to prevent prices from dropping to lower levels than they were a year ago.

While the information is eventually emerging, this piecemeal issuance of underestimates and downplaying the world demand by the Secretary of Agriculture and his deputies has been very detrimental to the very people the Secretary is supposed to represent. While constantly minimizing the extra demand for grain during the past 3 weeks, the Secretary has made it easier for big exporters to hedge sales at lower prices. It has undoubtedly resulted in some producers selling at a lower price than they needed to. All this comes on top of the refusal of the Secretary to make meaningful loans on grain so farmers could hold grain and wait for a better market.

I suppose some confusion could be expected but a documentation of the statements and actions of the Department in the past 3 weeks indicates that the confusion and statements have in every instance been those which would be beneficial to exporters and foreign buyers rather than to producers and grain dealers in this country. The very worst possible example of this kind of stewardship was exhibited on July 24 when on the very same day that the Department is publicly announcing that they believe the Soviets have ended their current grain buying, the Secretary of Agriculture at a private party indicates that he thinks purchases will be far in excess of any estimates which have previously been announced; and not until this conversation was repeated throughout the next session of the Board of Trade did the Department confirm that the Secretary's private statements indeed estimated far greater needs for the Soviet Union than did his Department's public report.

I do not think we should any longer rely upon the Secretary of Agriculture voluntarily securing sales reports from international exporters. My bill H.R. 3281 should be passed and the spotlight should be thrown upon the Department so that they will constantly keep people in this country informed as to the world demand and supply picture. We are very dependent upon world trade for income in this country and for foreign credits for which

to pay for oil. When secrecy prevents Americans from getting their full price for their products, it results in this country having a larger deficit in its balance of payments because we then receive less for our exports.

This is a sorry performance as far as producers in this country are concerned and those millions of employees who depend upon producer income for the sale of the products they produce. I have documented the basis for these statements and I set it forth as follows:

July 7—There are press reports that bad weather in the Soviet Union will result in large sales of grain to the Soviet Union and that they are now negotiating for such purchases.

July 8—The Department of Agriculture issues its weekly review of world farm production and made no mention of the Soviet harvest situation which would be a key factor in determining how much grain Russians might need.

On the same date, Deputy Assistant Secretary of Agriculture Bell said he has no evidence the Soviets are going to buy large quantities of U.S. grain.

People identified as hedging for large grain companies are seen buying on the Board of Trade in quantities which cause others to believe there is substance to the Soviet Grain storage story.

July 9—Secretary of Agriculture Butz in answer to question by reporters says the Soviets may have to buy U.S. grain this year.

July 11—Butz tells Senate Agriculture Committee that the "upper range" of Soviet grain sales is 10 million tons.

Bell quoted in Journal of Commerce as saying Soviets are expected to buy 3.8 to 5.1 million tons of corn. (Journal of Commerce, July 11, 1975).

July 13—Reports received by some Members of Congress from lower level Administration sources indicate the Soviet shortfall is likely to be 20 million tons consisting of approximately one-half wheat and one-half feed grains.

July 14—Butz quoted as saying he believes Soviets may buy up to 6 million tons of U.S. grain.

July 16—Bell says Cook will sell 2 million tons of wheat to Soviets and Cargill announces that its Geneva subsidiary will sell Soviets 1.2 million tons of wheat.

July 17—The Department of Agriculture's Foreign Agriculture Service reports on world grain output expectations and said that the Soviets may buy a net of 10 million tons of foreign grain.

July 21—U.S.D.A. announces that Continental has sold 4.5 million tons of corn to Soviets, most of it U.S. corn.

July 22—Cook announces that it plans to sell another 1 million tons of wheat to Soviets.

July 23—Butz says he believes Soviets have ended their current grain buying.

On the same evening Secretary Butz attends a dinner party in Washington at which it is later revealed he was quoted as saying that the Soviets may be forced to purchase as much as 29 million tons of foreign grain.

July 24—As the Board of Trade opens at 10:00 a.m., rumors of Butz's statement of the night before caused a flurry of new buying and reporters pound the Department with new inquiries.

After the Board of Trade has closed, U.S.D.A. confirmed that Butz had commented in private conversation the night before that if weather continues to deteriorate Russia may buy as much grain in the world market as in 1972.

U.S.D.A. also now estimates that the Soviet grain import needs have increased by 5

million tons and that they will need 20 million tons.

The Minneapolis Tribune reports that Dreyfus has sold 4 million tons of corn to Soviets.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

[Mr. GONZALEZ addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

## STATEMENT IN OPPOSITION TO THE CONCORDE SST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Ms. ABZUG) is recognized for 30 minutes.

Ms. ABZUG. Mr. Speaker, as a member of the Government Activities and Aviation Subcommittee of the Government Operations Committee, I participated in hearings held last week on the FAA certification of the Concorde SST for landings in this country. I submitted testimony at those hearings and am including that statement in the Record:

## TESTIMONY OF BELLA S. ABZUG

Though the question of whether or not to allow SST operations in the United States has been debated for some time, it is still a live and critical issue, and deserves the focused attention of this Subcommittee.

We now find that the FAA is prepared, even in the face of the most serious evidence of environmental damage, to permit the Concorde SST to land on a regular commercial basis in the United States at Dulles Airport near Washington and at JFK Airport in New York, with five other East Coast airports as alternates. In making this irresponsible decision, the FAA flies in the face of the Congressional intent which was clearly expressed when Congress voted down further appropriations for an American SST some time ago. There is overwhelming proven evidence against the FAA's decision, which would benefit only the handful of wealthy people who could afford the exorbitant fares necessary to support SST operations. The well-being of thousands of our citizens would clearly be prejudiced by permitting these aircraft into the United States. If the FAA will not bring a halt to this senseless plan, it becomes the duty of Congress to take the proper action.

I have been among those who have voiced the many objections to the FAA draft Environmental Impact Statement on the SST landings. The Environmental Protection Agency, too, has gone on record as having reservations concerning the effects of permitting these planes to operate in the U.S., and I believe that the draft Impact Statement does not contain sufficient information to assess fully the environmental impact of the proposed landings.

The Environmental Defense Fund, in its comments on the draft EIS, brought to light a Department of Transportation Information Brief, dated December 1, 1973, not meant for public perusal but uncovered in the course of litigation, which states in part, "Considerable organized adverse public reaction can be expected if the Concorde is permitted to operate into the U.S. because of the expected high noise levels."

Some of the flaws in the EIS that the Environmental Defense Fund cites include the fact that the data on noise in the Study were not gathered by the FAA itself, but merely reflect claims reported by the British



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which appear to be in the best interests of the Nation.

This bill calls for every Federal spending program to be reviewed each Congress, but this does not mean every Federal program will grind to a halt after 2 years. Just as it is absurd to let programs continue indefinitely, it would be absurd to arbitrarily end every program after 2 years.

A major shortcoming of previous proposals for large-scale budgetary review was that they provided for termination of programs if Congress failed to conduct review of those programs. Thus, programs could be quietly abolished simply by not holding hearings. Under the Truth in Budgeting Act, if hearings on a program are not held, the program would simply continue at the same level of funding. Thus, good and hard fought-for programs would not be abolished without due process of review.

Every Federal program will be subject to review. In programs such as interest on the Federal debt or social security where levels of Federal spending are uncontrollable, only the administration of the program need be reviewed. I am not questioning the level of benefits, but rather the efficiency in which they are allocated.

The bill calls for the Congressional Budget Office to conduct a 1-year study and draw up the necessary forms. The Budget Office will then conduct a 1-year pilot program to resolve any difficulties. After this 2-year study period, the Truth in Budgeting Act will be implemented throughout the Government.

Mr. Speaker, this bill will transform the budget into a statement of current, rather than past, national priorities. No longer will we be locked into programs with no required reviews. Congress will conduct an ongoing review, constantly updating the budget to fulfill the current needs of the country.

This is not a spending bill. This is a bill to control spending. The moment a program is outdated, the moment a program is duplicated by another agency, the moment a program no longer has the expected impact, it will be reviewed. No longer will programs continue to operate that have long outlived their function. I would conservatively estimate that savings from this bill will run into the billions.

The only question I have not discussed is perhaps the most important. In theory the concept of zero-base budgeting sounds great, but is it viable in practice? The answer is "Yes." The State of Georgia successfully implemented zero-base budgeting beginning in fiscal year 1973. Texas has implemented zero-base budgeting for fiscal year 1976.

New Mexico, Illinois, and the city of Honolulu are currently experimenting with this technique. Zero-base budgeting not only works in theory, but also, and more importantly, it works in practice.

Mr. Speaker, I submit that zero-base budgeting would impose a beneficial discipline on Federal budgeting. It would shift the attention of administrators from the objects of expenditures to the purposes and functions of spending. It would institute systematic procedures

for evaluating the cost and benefits of alternative methods of achieving a given goal and possible levels of effort. It would combine budgeting with the planning, management, and decisionmaking processes.

It would identify duplicated efforts and outdated programs. Finally, zero-base budgeting would establish a basis for budget cutting as opposed to the additive process implicit in our current incremental budgeting.

Just as the establishment of the Congressional Budget Committees was not a cure-all, neither will the new budgeting mechanism of zero-base budgeting as called for in the Truth in Budgeting Act, be the only answer. Each of these bills, however, brings Congress, and the American people, one step closer to controlling the ever-increasing Federal bureaucracy and its increasing budgetary demands. For the consideration of the Congress, a text of the bill follows:

## H.R. 3968

A bill to amend the Congressional Budget Act of 1974 to require full congressional review of each Federal program once every two years under zero-base budgeting procedures

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Truth in Budgeting Act of 1975".

SEC. 2. (a) Title VII of the Congressional Budget Act of 1974 is amended by inserting immediately after the heading of the title the following:

## "PART A—SPECIFIC REVIEW, EVALUATION, AND RELATED FUNCTIONS".

(b) Title VII of such Act is further amended by adding at the end thereof the following new part:

## "PART B—FULL CONGRESSIONAL REVIEW OF ALL FEDERAL PROGRAMS EVERY TWO YEARS

## "CONDUCT OF REVIEW BY STANDING COMMITTEES

"SEC. 711. (a) IN GENERAL.—Each committee of the House of Representatives and the Senate which has jurisdiction to report legislation authorizing appropriations for any Federal program shall conduct a comprehensive review of such program, as though it were being initially proposed for enactment, at least once every two years. Such review shall include or take into account the matters specified in section 712, and shall be conducted in the manner provided in section 713 in accordance with the schedule and guidelines prescribed under subsections (b) and (c) of this section.

"(b) SCHEDULE.—The Committees on the Budget of the House of Representatives and the Senate, acting jointly or in consultation, shall divide the total Federal budget into two equal divisions for purposes of review under this part. Federal programs falling into one such division shall be subject to review under this section in even-numbered years, and Federal programs falling into the other such division shall be subject to such review in odd-numbered years. Each program shall be reviewed in the House of Representatives and the Senate in the same year; and, to the maximum extent feasible, comparable programs shall be placed in the same division so that they may be reviewed concurrently.

"(c) GUIDELINES.—The Director of the Congressional Budget Office shall be responsible for the implementation of this part. In the exercise of this responsibility he shall establish guidelines for the conduct of the review and related activities provided for in this part, based on zero-base budgeting con-

cepts and incorporating zero-base budgeting procedures, and shall prescribe the forms and standards to be used in such review.

## "CRITERIA FOR REVIEW

"SEC. 712. Each comprehensive review conducted by a committee with respect to a Federal program under section 711 shall include a detailed consideration of the past experience under the program and a projection of the expected future experience of the program, a consideration of alternate ways of carrying out the activities involved and alternative funding levels for such activities, an evaluation of each such alternative in terms of its probable costs and benefits, a comparison of each such alternative with other programs and activities in the same or related fields, and an evaluation of the overall success or failure of the program. More specifically, it shall include consideration of—

"(1) whether the program objectives are still relevant;

"(2) whether the method of the program continues to be the best possible method for the funds available;

"(3) whether the program has had and is having any substantial impact on solving the problems and objectives dealt with in the program, and, if not, the reasons therefor;

"(4) whether and to what extent the program is being duplicated in another sector of the economy, private or public; and

"(5) what portion of program funds goes toward payroll.

## "METHOD OF REVIEW

"SEC. 713. (a) IN GENERAL.—The comprehensive review conducted by a committee with respect to a Federal program shall follow the guidelines established by the Director of the Congressional Budget Office under section 711(c). Each such review in any year shall consist of a detailed analysis of the President's budget request for the program involved, carried out through the consideration of 'Decision Packages' (as described in subsection (b)) which shall be submitted to the Congress for purposes of such review along with such budget request as provided by section 201(j) of the Budget and Accounting Act, 1921.

"(b) DECISION PACKAGES.—A Decision Package is a detailed statement and analysis of the funds and services needed to support a Federal program at a particular level of operations and activities. The Decision Packages to be submitted to the Congress and included in a review of any Federal program under this part shall be as follows:

"(1) A Minimum Level Decision Package, expressing in terms of service and cost the level of effort below which it is not feasible or realistic to carry on the program at all.

"(2) A Base Level Decision Package, expressing in terms of service and cost the actual level of effort under the program during the preceding fiscal year and no more.

"(3) A Workload Decision Package, qualifying and explaining in terms of service and cost any additional funds being requested to meet increased workload at the functional level under the existing program.

"(4) A New or Improved Decision Package, qualifying and explaining in terms of service and cost (A) any changes or improvements being sought in existing operations or activities under the program, or (B) any new operations or activities for which authorization is being sought within the existing program. Any request for a completely new program or major function shall be reviewed through a separate series of Decision Packages (and not as a part of a New or Improved Decision Package) notwithstanding any relationship it may have to one or more existing programs or functions.

## "REPORTS AND OVERALL REVIEW

"SEC. 714. Upon completing its review of a Federal program under this part, each com-



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mittee of either House shall submit to the Committee on the Budget of that House a full report setting forth the results of such review and its recommendations arising therefrom. The Committees on the Budget of the two Houses, acting jointly or in consultation after receiving and coordinating all of such reports for any year, shall make an overall review of all of the programs involved and shall submit the results of such review, together with its recommendations in connection therewith, to the House of Representatives and the Senate.

**"LIMITATION ON CONSIDERATION OF BUDGET INCREASES IN ABSENCE OF REVIEW"**

"Sec. 715. It shall not be in order in either the House of Representatives or the Senate to consider any bill or resolution (or amendment thereto) which authorizes appropriations for any Federal program for any fiscal year (or for any particular operation or activity within such program) in excess of the appropriations made for that program (or that operation or activity) for the preceding fiscal year unless that program has been the subject of comprehensive review under this part during the year in which the bill or resolution is being reported or in the preceding year.

**"MISCELLANEOUS PROVISIONS"**

"Sec. 716. (a) Committee Proceedings.—Insofar as possible, the committees of the House of Representatives and the Senate which have jurisdiction over any Federal program shall conduct the review of such program under this part at the same time. In conducting any such study, such committees shall receive testimony and evidence in hearings which shall be open to the public; and any proceedings or hearings held in the conduct of such review by the committees involved may be held jointly.

"(b) Information to be Transmitted by Executive Branch.—Prior to the conduct by any committee of the review of a Federal program under this part, the head of the department or agency of the Government which administers such program (or any part thereof) shall transmit to the committee (along with or separately from the Decision Packages submitted as required by section 201(j) of the Budget and Accounting Act, 1921) a detailed description of such program (or part), including a statement identifying, evaluating, and ranking in order of importance each operation or activity which it performs under or in connection with such program.

"(c) UNCONTROLLABLE EXPENDITURES.—Notwithstanding any other provision of this part, review of any Federal program under section 711 shall be limited to the administration of the program, and shall not include consideration of the level of effort under the program, to the extent that the program involved Federal expenditures which are uncontrollable as determined in accordance with the guidelines established by the Director of the Congressional Budget Office under section 711(c)."

"(e) The table of contents in section 1 of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting immediately before the item relating to section 701 the following:

**"PART A—SPECIFIC REVIEW, EVALUATION, AND RELATED FUNCTIONS";**

and by inserting immediately after the item relating to section 703 the following:

**"PART B—FULL CONGRESSIONAL REVIEW OF ALL FEDERAL PROGRAMS EVERY TWO YEARS"**

"Sec. 711. Conduct of review by standing committees.

"Sec. 712. Criteria for review.

"Sec. 713. Method of review.

"Sec. 714. Reports and overall review.

"Sec. 715. Limitation on consideration of budget increases in absence of review.

"Sec. 716. Miscellaneous provisions."

Sec. 3. (a) Section 2 of the Congressional Budget and Impoundment Control Act of 1974 is amended by striking out "and" at the end of paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu thereof "; and", and by inserting after paragraph (5) the following new paragraph:

"(6) to provide for regular comprehensive review by the Congress of all Federal programs under zero-base budgeting procedures."

(b) Clause 1(e) (3) of Rule X of the Rules of the House of Representatives, and clause 1(r) (2) of Rule XXV of the Standing Rules of the Senate, are each amended—

(A) by striking out "and" at the end of subdivision (C).

(B) by striking out the period at the end of subdivision (D) and inserting in lieu thereof "; and"; and

(C) by adding after subdivision (D) the following new subdivision:

"(E) to perform the functions with respect to the comprehensive review of Federal programs which are provided for in sections 711(b) and 714 of the Congressional Budget Act of 1974."

(c) Section 202 of the Congressional Budget Act of 1974 is amended by adding at the end thereof the following new subsection:

"(h) COMPREHENSIVE REVIEW OF FEDERAL PROGRAMS.—The Director, through the personnel of the Office, shall exercise responsibility as provided in part B of title VII for the implementation and conduct of the congressional review of Federal programs under that part."

(d) Section 308(c) of such Act is amended by adding at the end thereof (after and below paragraph (3)) the following new sentence:

"Such report shall also indicate the Federal programs which are scheduled to be the subject of comprehensive congressional review at various times during the period covered by the preceding sentence."

(e) Section 201 of the Budget and Accounting Act, 1921 (31 U.S.C. 11), is amended by adding at the end thereof the following new subsection:

"(j) The Budget transmitted pursuant to subsection (a) for each fiscal year, beginning with the fiscal year ending June 30, 1976, shall include or be accompanied by a series of Decision Packages (as described in section 713(b) of the Congressional Budget Act of 1974) with respect to each Federal program for which funds are requested therein; and copies of such Decision Packages with respect to any Federal program shall at the same time be submitted to the committees of the House of Representatives and Senate having jurisdiction over such program, and to the Director of the Congressional Budget Office."

(f) Section 204(b) of the Legislative Reorganization Act of 1970 (31 U.S.C. 1164 (b)) is amended by striking out "and" at the end of paragraph (1), by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; and", and by inserting immediately after paragraph (2) the following new paragraph:

"(3) assist such committee or joint committee in the conduct of its comprehensive review functions under part B of this title."

Sec. 4. (a) Subject to subsections (b) and (c), the amendments made by this Act shall become effective on January 1, 1977.

(b) As soon as possible after the date of the enactment of this Act the Director of the Congressional Budget Office shall conduct a study to determine the best methods for implementing the provisions of part B of title VII of the Congressional Budget Act of 1974 (as added by section 2 of this Act), and shall prepare the necessary forms for implementing such provisions. During the calendar year 1976, on the basis of such study, the Director shall conduct a pilot program designed to place some or all of such

provisions in actual practice in a limited way for the purpose of identifying and resolving any problems or difficulties which might be involved in such implementation; and any of such provisions which may be specified and reported to the House of Representatives and the Senate by the Director for purposes of such pilot program shall (to the extent necessary for such program) become effective on January 1, 1976 (or on such later date during 1976 as the Director may specify).

(c) Section 715 of the Congressional Budget Act of 1974 (as added by section 2 of this Act) shall not be effective before January 1, 1978.

**STATE COURTS IMPROVEMENT ACT**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. Rodino) is recognized for 10 minutes.

Mr. RODINO. Mr. Speaker, I am today introducing the State Courts Improvement Act, legislation dealing with some of the most difficult problems facing the Nation's criminal justice system.

I am introducing the bill at the request of the Conference of Chief Justices, an organization representing the highest judicial officers of the States and territories. I am confident it will stimulate discussion of the issues, which are central to the operation of the Federal Government's most ambitious program to deal with crime.

The bill was drafted by the Conference's Committee on Federal Funding of the State Courts, chaired by Chief Justice Howell T. Heflin of Alabama. It is based on more than 6 years' experience of State and local courts with operations of the Law Enforcement Assistance Administration, and its State planning agencies, under the Omnibus Crime Control and Safe Streets Act of 1968.

The legislation has been endorsed in principle by the American Bar Association and has been approved by the Advisory Council of the National Center for State Courts which includes representatives of 20 national judicial and law-related organizations such as the ABA and the American Judicature Society.

There can be no question but that the State and local courts, which must handle some 95 percent of the Nation's rapidly expanding criminal case load, are now in urgent need of help. It is also apparent that the courts, given the constitutional doctrine of separation of powers, have unique problems under the Safe Streets Act since they must appeal to State executive branch agencies in seeking Federal funds allocated to State criminal justice agencies.

The State Courts Improvement Act is an effort by State court officials to deal with their problems, insofar as they can, by correcting deficiencies they see after extensive experience with the Safe Streets Act.

Briefly, the bill establishes a flexible formula to assure adequate LEAA funding of the courts. It also would require judicial participation to assure the comprehensive criminal justice planning envisaged by the Congress when it passed the Safe Streets Act. I am certain the bill will be helpful to the Congress when the Subcommittee on Crime begins oversight hearings on LEAA late this year.

## Senate Action Pegged to Cost of Living

# Federal Executive Pay Boosts Voted

By Spencer Rich  
Washington Post Staff Writer

The Senate, with strong backing from President Ford, approved legislation last night granting automatic annual cost-of-living increases to members of Congress, federal judges, the Vice President, members of the Cabinet and other top-level federal executives. The vote was 58 to 29.

The pay increase, which will go to about 17,000 persons, was tacked onto a minor, House-passed bill dealing with postal matters and must go back to the House for a vote there before it can become law.

Sens. Gale W. McGee (D-Wyo.) and Hiram L. Fong (R-Hawaii), the chairman and senior Republican on the Post Office and Civil Service Committee, said members of Congress and top federal executives haven't had a

pay raise since 1969, while the cost of living has risen 47.5 per cent since then. They said the bill won't close the gap, but at least will guarantee that as the cost of living rises further, Congress, judges and top federal workers will get what amounts to cost-of-living increases.

Under the formula in the bill, those covered by it will receive the same percentage increase each October as the President recommends, under federal pay "comparability" statutes, for lower-level civil servants. This year's boost could range from 5 per cent to 8.6 per cent, but President Ford has indicated he wants to try to keep it to 5 per cent.

Sen. James B. Allen (D-Ala.), a strong opponent of the pay increases, argued: "I do not believe that we would be acting in the best interests

of the image of Congress at this time of recession and inflation to try to rush in and set up a built-in annual salary increase for members of Congress."

An Allen move to kill all the raises, however, was beaten, 57 to 30, and a narrower Allen amendment wiping out the congressional raises but leaving those for other groups was defeated, 61 to 25. An amendment by Robert Taft Jr. (R-Ohio) to let Congress get the first cost-of-living raise this fall but then bar it from further automatic increases also was defeated, 74 to 12.

On passage of the bill, Harry Flood Byrd Jr. (Ind-Va.) voted no; all other Virginia and Maryland senators voted yes.

Members of Congress usually fear

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to vote themselves pay increases lest the public get angry, and they killed a raise last year before the election. This year, with an election still 15 months away, a solid majority favored the raise. Fong and McGee said the congressional salary of \$42,500 is now worth only \$28,815 in purchasing power compared with 1969.

The bill wouldn't affect presidential pay, but would cover most other high-level federal executives, as well as Congress and judges. Mr. Ford, in a letter to the Senate, said the government is losing some of its best executives and judges because their salaries have been frozen at the same levels for years.

If the bill is passed and the increase this October turns out to be 5 per cent, the added cost for salaries in all categories will be about \$34 million. At 8 per cent, it would be \$49.7

efforts of the United Nations to rid the globe of racism by eroding any true consensus on this critical issue. The resolution asserts that Israel is an expression of "racial" cohesion when, in fact, that nation is united by a religious and cultural affinity. Such one-way morality, dictated by a bloc of regimes, serves only to destroy the faith of the American people in the institution optimistically named the United Nations.

I have joined Senator HUMPHREY and my other colleagues in the Senate in co-sponsoring Senate Resolution 288, a formal condemnation of the United Nations' resolution that classifies Zionism as "a form of racism." Further, I have today joined Senators PACKWOOD and HUMPHREY in a resolution which denounces the action of the General Assembly and moves to investigate the implications of this vote with respect to our U.N. activities. Finally, it is my sincere hope that the worthy efforts of the U.N. will not be hindered by those venting rage against one of the oldest, and most venerable, nations represented there.

Mr. BAKER. Mr. President, I want to express briefly my strong support for Senate Concurrent Resolution 73, condemning the passage in the United Nations General Assembly of a resolution characterizing Zionism as racist. I do not believe that the Congress of the United States can state too strongly its repugnance at this infamous and immoral act. It is repugnant to the letter of the charter of the United Nations, and it is repugnant to the moral character of those civilized peoples for whom the United Nations is supposed to be a forum for peace and the advancement of humanity.

I want, particularly, to endorse that provision of this concurrent resolution which "calls for an energetic effort by all those concerned with the adherence of the United Nations to the purposes stated in its charter to obtain reconsideration" of this action by the General Assembly. As Representatives of the American people, I believe that the Congress is intimately concerned in the achievement of this end; and it is my hope that we continue actively to seek it. Because, until the effect of this inimical act is totally expunged, its stain will continue to color whatever future actions, however beneficial, that are undertaken by the General Assembly.

Mr. President, there is little that we can find pleasing about this resolution; but, if there is anything, it is that a large number of nations opposed it. Particularly pleasing is the large number of African nations who, despite the undoubted pressure placed upon them, refused to support this act of the extremists. On the other hand, I was surprised and extremely disappointed that such nations as Portugal, Cyprus, Turkey, and Mexico joined those who would so demean the United Nations in pursuit of their own political aims.

The concurrent resolution dedicates this Congress to continue its opposition to this regrettable act. In so doing, perhaps we can also work to restore some measure of substance and credibility to the severely tainted image of the United Nations.

Mr. KENNEDY. Mr. President, yesterday,

the U.N. General Assembly voted to equate Zionism with racism; and in doing so, it compromised the principles on which the United Nations was founded 30 years ago.

I am deeply distressed and concerned by this action. It denies the historic role played by the United Nations in the creation of the State of Israel. It can only serve to undermine both the capacity of the United Nations to play an effective role in meeting issues critical to the future of mankind, and its inability to promote the principles on which it was founded. And it once again brings racism back as a method of statecraft.

Yesterday's vote was not unexpected. But even this action in the General Assembly cannot damage the heritage of the Israeli people which has endured—under greater challenges—for thousands of years.

I do not rise to condemn the United Nations. To do so would be a tragic mistake. It is not the U.N. which instigated yesterday's vote—it is those member states which favored the passage of this resolution that rightfully deserve to be the target of our protests. To denigrate the concept of an international community of nations—embodied in the U.N.—is to subscribe to the very philosophy of those States which instigated the passage of this resolution. I hope—despite the anger of the American people—that our support of the United Nations will not diminish.

In recent years, the United Nations has increased in importance, both in its peacekeeping activities, and in its role as a forum for debate and decision of major issues relating to the restructuring of the global economy. Both of these functions are important for all members of the United Nations; and the importance of these functions is further argument for isolating that organization from efforts to pervert both its goals and the charter itself.

Since the U.N. General Assembly's Third Committee voted on the resolution, thoughtful voices have been raised around the world, counseling against this renewal of racist attitudes that the resolution itself pretends, wrongly, to condemn. Yesterday, 35 nations, including the United States, understood the wisdom of rejecting a return to racism. But 72 others failed to heed the voices of wisdom and true humanitarian concern. By doing so, they have seriously damaged the reputation and the capacity for leadership of an institution upon which many of these same nations rely in their quest for justice and development.

In a more immediate sense, this resolution undermines another key principle of the United Nations: its commitment to peace. This resolution can only jeopardize the cause of peace in the Middle East, by introducing a new source of division and discord, at the very time that so many people, there and elsewhere, are seeking to end a generation of conflict. To be united in the cause of peace should be the primary task of U.N. member states; and yesterday's resolution is a threat to that vital cause.

Mr. President, if mankind is to move beyond those attitudes of hatred and prejudice that have so marred its history, and that have brought untold suffering

and grief to so many people of so many races, creeds, ethnic groups, and religions, then the institution in which the hopes of people throughout the world are invested—the United Nations—must itself set the example. Yesterday, the representatives of 72 nations failed to do so.

We in the United States, in a country which itself has suffered the blight of racism, must condemn this action, and do what we can both to minimize its effects and try at every opportunity to restore the United Nations to the high road of principle and practice that is so vital for that institution—and for all mankind.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the recess, the distinguished Senator from Idaho be recognized.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECESS FOR 2 MINUTES

The ACTING PRESIDENT pro tempore. The Senate will now stand in recess for 2 minutes.

The Senate, at 12:25 p.m., recessed until 12:27 p.m., whereupon, the Senate reassembled when called to order by the Acting President pro tempore (Mr. FORD).

#### ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Idaho (Mr. CHURCH) is recognized for not to exceed 15 minutes.

Mr. ROTH. Will the Senator yield for 30 seconds?

Mr. CHURCH. I am happy to yield to the distinguished Senator from Delaware.

#### SENATE CONCURRENT RESOLUTION 74—SUBMISSION OF A CONCURRENT RESOLUTION TO REDUCE FEDERAL TRAVEL EXPENSES

Mr. ROTH. Mr. President, I send to the desk a concurrent resolution to reduce Federal travel expenses, and I ask unanimous consent that it be placed on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROTH. Mr. President, I am today submitting legislation calling for the President to take immediate steps to reduce Federal spending on travel and transportation by Federal employees by at least 10 percent. Immediate action by the President to implement a reduction in Federal travel spending will result in a savings of more than \$230 million this fiscal year.

Last December, Congress adopted my amendment for a 10 percent across-the-board cutback of all Federal travel expenditures. However, after 2 months of bureaucratic complaints and claims that the travel cutback had hampered vital Government services, Congress rescinded the travel amendment, at a cost to the taxpayers of \$160 million. My objective was to eliminate the unessential and wasteful travel expenses, and I regret the unwillingness of the executive

(1) Five members appointed by the President of the United States, of whom two shall be employees of the United States holding a position not above grade GS-16 of the General Schedule under section 5332 of title 5, United States Code, or equivalent grade.

(2) Five members appointed by the President of the Senate, of whom two shall be Members of the Senate; and

(3) Five members appointed by the Speaker of the House of Representatives, of whom two shall be Members of the House.

(b) One of the Members of the Senate appointed under subsection (a)(2) and the Members of the House appointed under subsection (a)(3), not more than three such Members in each instance shall be from the same political party. Except as provided in subsection (a), all members of the Commission shall be appointed from private life.

(c) Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

(d) The Commission shall elect a chairman and a vice chairman from among its members.

(e) A quorum of the Commission shall consist of seven members, except that the Commission may establish a lower number as a quorum for the purpose of taking sworn testimony.

#### DUTIES OF THE COMMISSION

SEC. 3. (a) It shall be the duty of the Commission to conduct a full and complete study and investigation of the United Nations, and the nature and extent of United States participation therein.

(b) The Commission shall, from time to time, and in a final report, report the results of its study and investigation and submit its recommendation to the President and the Congress. The Commission shall submit a final report not later than one year after the appointment of all members of the Commission.

#### POWERS OF THE COMMISSION

SEC. 4. (a) The Commission may, in carrying out its duties under this Act, sit and act at such times and places, hold such hearings, take such testimony, require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, have such printing and binding done, and make such expenditures as the Commission deems advisable. Subpoenas shall be issued under the signature of the chairman or any member of the Commission designated by him and shall be served by any person designated by the chairman or any such member. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission.

(b) Any United States district court within the jurisdiction of which any inquiry is carried on, may, upon petition by the Commission, in case of refusal to obey a subpoena or order of the Commission issued under subsection (a) of this section, issue an order requiring compliance therewith; and any failure to obey the order of the court may be punished by the court as a contempt thereof.

(c) Subject to such rules and regulations as may be adopted by the Commission, the chairman shall have the power to—

(1) appoint and fix the compensation of an executive director, and such additional staff personnel as he deems necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates not in excess of the maximum rate for GS-18 of the General Schedule under section 5332 of such title; and

(2) procure temporary and intermittent services to the same extent as is authorized

by section 3109 of title 5, United States Code, but at rates not to exceed \$125 a day for individuals.

#### COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 5. (a) (1) The members of the Commission who are Members of the Congress shall serve without additional compensation. The members of the Commission who are officers or employees of the United States shall serve without additional compensation, but shall continue to receive the salary of their regular position when engaged in the performance of the duties vested in the Commission.

(2) A member of the Commission other than one to whom paragraph (1) applies shall receive \$125 per diem when engaged in the actual performance of the duties vested in the Commission.

(b) All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

#### EXPENSES OF THE COMMISSION

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

#### EXPIRATION OF THE COMMISSION

SEC. 7. The Commission shall cease to exist thirty days after the submission of its final report.

#### THE UNITED STATES IN THE U.N.

Mr. PERCY. Mr. President, today we are all very deeply disturbed by the passage in the United Nations General Assembly of a resolution which seeks to equate Zionism with racism. This absurd formulation reflects badly on the judgment of those nations which supported it, for it only makes more difficult the achievement of an atmosphere of trust which is a prerequisite for peaceful resolution of Mideast problems.

It is understandable that despair over this hostile action has brought strong reactions in our country where the people of Israel are held in such high regard. I myself am bitterly disappointed that a majority in the General Assembly should take an action so counterproductive to Mideast peace, so harmful to the United Nations, and so insulting to the Jewish people.

Yet, even at this time when emotions are running high, it is important to note that the resolution was passed by a majority of the representatives of U.N. member states, not really by the U.N. itself. The U.N. as an institution has not made a policy pronouncement. Rather the U.N. has been tarred by this brush carried by 72 member states, the radical leaders of whom deserve the blame for this resolution.

As we consider the future U.S. role in the U.N. General Assembly, we should bear in mind that a U.S. withdrawal from Assembly deliberations would only leave the Assembly in more complete control of those nations which have chosen to politicize that body. Moreover, if the United States should end its participation in the Assembly, who would stand up to promote, explain, clarify and defend the policies of the United States? In those circumstances, what world power would stand up to urge fairness for Israel?

It is my profound belief that the United States should stay in the United Nations and in every element of it, in-

cluding the General Assembly and the specialized agencies. We should stay and fight for our views, for our interests, for our position, for our principles. I can think of no greater folly than to abandon any element of the United Nations to those whose purposes are antithetical to our own.

#### WHAT IS ZIONISM?

Mr. BIDEN. Mr. President, I would like to say a few words about the United Nations General Assembly's adoption of a resolution equating Zionism with racism, on November 10, 1975.

Only a few weeks ago, a committee of the General Assembly of the United Nations adopted Resolution 2159, portions of which sought to equate Zionism with racism. A few days later, on October 21, I cosponsored Senate Resolution 288 that strongly condemned the U.N. resolution. Senate Resolution 288 urged the United Nations General Assembly to disapprove Resolution 2159 whose obvious purpose was to attack and condemn the State of Israel in a most heinous and abhorrent manner.

Yesterday, a majority of the delegates to the United Nations General Assembly made a mockery out of the charter of this international organization. By a vote of 72 to 35 the General Assembly adopted Resolution 2159. Article I of the Charter of the United Nations states the purposes of the organization as follows:

To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

To be a center for harmonizing the actions of nations in the attainment of these common ends:

The U.N. resolution condemning Zionism, is a stupid one. The U.N. is weakened by its passage. The 72 nations that supported this resolution need the U.N. more than we big powers do. In the long run it will hurt them more than the United States, the Soviet Union, or China.

Racism is a singularly evil and vicious force, which should be condemned where it is practiced. Zionism on the other hand, is a national movement that had as its genesis the creation of a Jewish state in Palestine in the late 19th century. Theodor Herzl, often considered the father of Zionism pioneered this movement during a period of violent anti-semitism in Europe. Zionism advocated the return of Jews to present day Israel.

I have today joined in cosponsoring a resolution, Senate Concurrent Resolution 73 which was adopted by the Senate on November 11, condemning the General Assembly vote.

Mr. TUNNEY. Mr. President, the U.N. General Assembly's approval of the Arab-inspired resolution which equates Zionism with racism is an utterly senseless and intolerable act. I patently decry this resolution because it thwarts the

November 11, 1975

S 19603

branch to even attempt to impose budget restraints in this area without jeopardizing legitimate Government activities. As I said then on the Senate floor, the repeal of the travel amendment produced the sad spectacle of the Government asking the American people to make sacrifices when the Federal Government is showing no willingness at all to tighten its own belt.

Although the administration was adamantly opposed to my travel amendment last year and worked for its repeal, I am hopeful that the President will support this travel cut. The President has asked for a substantial cutback in Federal spending, and with his cooperation, the President and Congress can work together to make reductions in an area of substantial Government waste.

Therefore, the legislation that I am introducing today would call on the President, through his OMB Director, to take steps to reduce Federal travel by 10 percent, taking care to insure that the cutbacks do not disrupt vital Government services or the movement of military personnel.

Because of the difficulties involved in legislating an across-the-board travel cut, this legislation is in the form of a concurrent resolution expressing the sense of Congress that immediate steps be taken by the President to reduce Federal travel expenses.

According to the fiscal 1976 budget estimates, the Federal Government will spend \$2,314,371,000 on travel and transportation of Federal employees, and a 10 percent cutback would achieve a savings for the taxpayers of more than \$230 million. This reduction of \$230 million will still allow the Government to spend as much on travel as it did in fiscal years 1975 and 1974, when it spent \$2.1 billion and \$2.0 billion respectively.

And while I do anticipate objections from virtually all executive branch departments and agencies, I am convinced that a substantial amount of waste can be cut from the travel budgets of many of our departments and agencies.

For example, the projected percentage increases for the travel budgets of many departments and agencies are, in my opinion, excessive and unjustifiable.

The Agriculture Department is planning to spend \$90,049,000 in fiscal 1976, a 25-percent increase over fiscal 1975 spending for travel.

The Veterans' Administration will spend \$74,521,000 this year on travel expenses, a 25-percent increase over fiscal 1975 and a 40-percent increase over fiscal 1974 spending.

The Secret Service will spend \$10,916,000 in fiscal 1976 on travel, an increase of 54 percent over fiscal 1975 travel spending.

And the Selective Service System, operating on a standby basis since the draft was eliminated, will spend \$1,640,000 on travel, an increase of more than 60 percent over last year's travel budget.

These are not the only departments and agencies with large travel budgets. The Defense Department will spend \$1,477,889,000 in fiscal 1976, with a large portion of these funds spent on change

of station travel for military personnel. This legislation is not intended to disrupt the movement of military personnel, but it is also not intended to exempt the Department from trimming the fat in its travel budgets.

The Department of Health, Education, and Welfare has a travel budget of \$75,037,000, including \$22,501,000 for the Social Security Administration.

Other travel budgets include \$84,737,000 for the Treasury Department, \$74,042,000 for the Transportation Department, \$63,832,000 for the Interior Department, and \$34,417,000 for the State Department.

In addition to the well-known departments and agencies, a variety of 63 commissions and boards will spend \$90,419,000 on travel in fiscal 1976.

And although the legislative and judicial branches of Government account for less than 1 percent of the spending on Federal travel, my travel legislation will also apply to these two branches.

If the President is serious about reducing Government spending, he will endorse my efforts to cut Government travel spending. If the Government expects the American people to sacrifice, then the Government must be willing to sacrifice.

We must act immediately to cut back unnecessary Government costs, reduce the duplication of Federal programs, and trim the administrative expenses of Government. And as a first step, we must reduce Government travel expenses by 10 percent and save the American taxpayers \$230 million a year.

I ask unanimous consent that the text of the concurrent resolution and a table listing the estimated travel costs for the departments and agencies be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

#### S. CON. RES. 74

*Resolved by the Senate (the House of Representatives concurring),*

That the President, through the Director of the Office of Management and Budget, shall take immediate steps to restrain the inflationary impact of Federal expenditures and to conserve the use of energy by ordering a reduction of Federal travel expenditures by at least 10 percent; and

That these steps shall include such provisions as are necessary to insure that such reductions are allocated so as not to disrupt the provision of vital governmental services or the organized troop movement of military personnel; and

That the President is requested to submit to Congress, within 30 days of adoption of this Resolution by the Senate and the House of Representatives a report outlining his actions.

#### Travel and transportation costs

Agency	Fiscal year 1976
Legislative branch	10,508
The Judiciary	9,939
Executive Office of the President	1,315
Funds appropriated to the President	28,703
Department of Agriculture	90,049
Department of Commerce	26,117
Department of Defense—military	1,477,889
Department of Defense—civil	37,516
Department of Health, Education, and Welfare	75,037
Department of Justice	53,173
Department of Labor	13,179

Department of State	34,417
Department of the Treasury	84,737
Energy Research and Development Administration	8,040
Environmental Protection Agency	12,800
Department of Transportation	74,042
General Services Administration	10,887
Department of Housing and Urban Development	16,448
National Aeronautics and Space Administration	17,822
Veterans' Administration	74,521
Other independent agencies	90,419
Total	2,314,371

#### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, under the special orders, I believe the distinguished Senator from Idaho is now to be recognized.

The ACTING PRESIDENT pro tempore. He has been recognized, and he yielded to the Senator from Delaware for a unanimous-consent request.

Mr. MANSFIELD. Mr. President, it is my understanding that I have 15 minutes as well.

The ACTING PRESIDENT pro tempore. That is correct.

Mr. MANSFIELD. Mr. President, I yield my 15 minutes to the distinguished Senator from Idaho.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Idaho may proceed. Mr. CHURCH. I thank the Senators very much for their courtesy.

Mr. President, I ask unanimous consent that Mr. Lock Johnson be granted privilege of the floor during the presentation of this address.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### AN IMPERATIVE FOR THE CIA: PROFESSIONALISM FREE OF POLITICS AND PARTISANSHIP

Mr. CHURCH. Mr. President, "For ye shall know the truth and the truth shall make you free." So read the words carved in white marble at the entrance to the Central Intelligence Agency. It is a noble Biblical thought, chosen by Allen Dulles when he was Director of the CIA perhaps to remind his colleagues of their ultimate purpose: the creation of objective intelligence.

Objectivity ought to be the hallmark of every public trust. As chairman of the Senate Select Committee on Intelligence Activity, I have done my utmost to assure a fair and balanced inquiry into the intelligence services. When the committee was first established, Senate Majority Leader MIKE MANSFIELD stressed that the allegations against the intelligence agencies were serious. They deserved, he said, a sober inquiry which would be "neither a whitewash nor a vendetta." That is how I have tried to conduct this investigation.

Certainly it has not been a whitewash. The committee has already exposed many serious abuses of power within the intelligence services. Working steadfastly for 9 months, the select committee has set of records, documents, and sworn testimony.

This month, the committee will pub-



condition will not permit any additional and unanticipated shocks, such as the sharp rise in fuel prices that surely would occur if all domestic price controls lapse.

Immediate decontrol of oil prices would mean a direct \$20 billion loss in the gross national product. It would mean an increase in unemployment of at least 1 million workers by 1977. And it would bring about an increase in the Consumer Price Index of at least 1.5 percent.

These economic consequences will raise havoc with an economy that already is in a very fragile condition. They will make almost impossible any serious efforts to enact a full employment bill, or a system of national health insurance, or reform of our welfare system.

We will be plunged back into the recession out of which we are just beginning to emerge. Such a development would have the most serious consequences for every American citizen, but particularly for those who already have suffered most from the disastrous economic policies of recent years.

Those would be among the most immediately economic consequences of the Energy Policy and Conservation Act not becoming law.

And, of course, our energy policy would be in total disarray. The one feature that is perhaps the most significant part of the pending bill, even though not a line in the bill is devoted to this provision, is the assurance of certainty in a host of vital energy policy areas.

Once this bill becomes law, producers and consumers of energy will know what to expect and can begin to make their plans accordingly. No longer will there be incentives to do nothing, to wait for Congress and the executive branch to make up their respective minds over energy, before taking decisions that in many cases have been postponed for years.

We will have a framework of basic law that we can continue to refine and improve. But the fundamental groundrules will be in place. We can get on with the business of making this country more sufficient in energy, with due regard for our international obligations and problems. The period of indecision and inaction will be over.

One final word on the subject of energy conservation. This bill contains some highly significant provisions that, at last, will begin a serious national program of conserving our limited energy. But I think it is important that Congress realize these are just beginning steps. Much more remains to be done before we fully capitalize on the tremendous potential that is involved in energy conservation.

There is no argument with the proposition that energy conservation is the least expensive, most rapid, and most environmentally acceptable way to increase the Nation's available supply of energy. Savings in the range of 25 to 35 percent over current levels are clearly feasible.

And these savings need not involve the sacrifice of jobs or a decline of economic output. To the contrary, a properly designed energy conservation program should provide significant stimulus in both areas.

The Energy Subcommittee will be examining the energy conservation potential in detail in the next session of Congress. It is our hope to develop a number of specific recommendations that can then be considered by the appropriate legislative committees and by the full Senate.

But these efforts can only have meaning if the present bill becomes law. That will provide the foundation on which we can build a comprehensive national energy policy that truly serves the needs and interests of the American people.

The PRESIDING OFFICER. Under the previous order, the vote will now occur on agreeing to the motion to concur in the amendment of the House to the amendment of the Senate to the amendments of the House to the bill, S. 622.

Mr. BUMPERS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

(At this point Mr. WEICKER assumed the chair.)

Mr. ROBERT C. BYRD. I announce that the Senator from Indiana (Mr. BAYH) is necessarily absent.

I also announce that the Senator from Alabama (Mr. ALLEN) is absent because of illness.

The result was announced—yeas 58, nays 40, as follows:

[Rollcall Vote No. 604 Leg.]

#### YEAS—58

Abourezk	Hathaway	Pastore
Biden	Huddleston	Pell
Brooke	Humphrey	Percy
Bumpers	Inouye	Proxmire
Burdick	Jackson	Randolph
Byrd, Robert C.	Javits	Ribicoff
Cannon	Kennedy	Roth
Case	Leahy	Schweiker
Chiles	Magnuson	Scott, Hugh
Church	Mansfield	Sparkman
Clark	McClellan	Stafford
Cranston	McGovern	Stennis
Culver	McIntyre	Stevenson
Durkin	Motcalf	Stone
Eagleton	Mondale	Symington
Ford	Morgan	Talmadge
Glenn	Moss	Tunney
Hart, Philip A.	Muskie	Williams
Hartke	Nelson	
Haskel	Nunn	

#### NAYS—40

Baker	Fong	Mathias
Bartlett	Garn	McClure
Beall	Goldwater	McGee
Bellmon	Gravel	Montoya
Bentsen	Griffin	Packwood
Brook	Hansen	Pearson
Buckley	Hart, Gary	Scott
Byrd	Hatfield	William L.
Harry F., Jr.	Helms	Stevens
Curtis	Hollings	Taft
Dole	Hruska	Thurmond
Domenici	Johnston	Tower
Eastland	Laxalt	Weicker
Fannin	Long	Young

#### NOT VOTING—2

Allen Bayh

So the motion was agreed to.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate?

#### DEPARTMENT OF DEFENSE APPROPRIATIONS, FISCAL YEAR 1976—CONFERENCE REPORT

The Senate continued with the consideration of the conference report on the bill (H.R. 9861) making appropriations for the Department of Defense for the fiscal year ending June 30, 1976, and the period beginning July 1, 1976, and ending September 30, 1976, and for other purposes.

Mr. GRIFFIN. Mr. President, I send a modification of my amendment to the desk and ask for its immediate consideration.

Mr. ROBERT C. BYRD. Mr. President, we cannot hear the Senator.

The PRESIDING OFFICER. The Senator from West Virginia is correct. The Senate will be in order. No further business will be transacted until the Senate is in order.

The Senator from Michigan.

Mr. GRIFFIN. Mr. President, I ask that the amendment that is pending, as modified, be stated.

Mr. McCLELLAN. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

The amendment will be stated.

The legislative clerk read as follows:

In lieu of the language proposed to be inserted, insert the following: "\$205,600,000, none of which, nor any other funds appropriated in this Act may be obligated or expended to finance the involvement of United States military or civilian forces in hostilities in or over or from off the shores of Angola, unless specifically authorized by the Congress, which funds are".

Mr. GRIFFIN. Mr. President, in drafting this amendment—

Mr. PASTORE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senator from Michigan will suspend.

The Chair wishes to advise the Senate that the Chair will not waste his breath or violate the ears of Senators until the Senate is in order.

The Senator from Michigan.

Mr. GRIFFIN. Mr. President, in drafting this amendment I have drawn heavily upon the actual language which was adopted in the so-called Cooper-Church amendment of 1973 which prohibited the use of U.S. military forces in hostilities in, over, or from off the shores of Indochina.

I offer this amendment because I share the deep concern which I know most of my colleagues have about the possibility that we might slide into another Vietnam by any involvement whatsoever in Angola. I share the concern of those who wonder about the possibility that some covert assistance by the CIA might lead to the use of advisers, and that might ultimately lead to the introduction of military forces. I share the view that we ought to slam the door and keep it closed from the outset on any possibility that any American military forces



administration—if we did not pass this price ceiling the oil men would get Jerry Ford to force an even higher price on the people of the United States.

Mr. PACKWOOD. Mr. President, the ultimate objective of our energy policy is not just to decrease our consumption because "it is a good thing to conserve," or because we will appear to have an energy policy. The ultimate objective of our energy policy must be to make us independent of imported oil. In short, we do not need an energy policy just to say "we have an energy policy"; we need an energy policy to curb our dependence on imported oil. I will vote against the conference report bill because it does not sufficiently stop the flow of Arab oil into this country; it does not sufficiently stop the outflow of American dollars and jobs, which we cannot afford, and it does not sufficiently put us on the road towards energy independence.

The legislation adopted by the Senate and House conferees contains several good attempts to encourage conservation. The bill sets up a system of standby authorities for the President in the event of another crisis or embargo; it delineates a system of strategic reserves; it establishes energy-labeling procedures for major appliances; and it mandates fuel standards for automobiles. Although all of these are good measures, and I supported each of them when they were passed in the Senate as separate bills, they in themselves are not enough. They are not enough to curb the flow of Arab oil into this country. They are not enough to keep American dollars and jobs here. They are well-intended measures, but not enough to be called "an energy policy."

The heart of the problem, and it always has been, is the growing reliance on imports. This results from the fact that our domestic production is decreasing and our domestic consumption is increasing. In order to fill this gap between production and consumption, we must rely on imports. This gap is growing. Unless we take action on both sides of the problem, production and consumption, we cannot have a long-term satisfactory solution.

This bill dabbles on the consumption side, but does nothing to encourage production. Most of the measures set out in the bill were designed to decrease consumption. However, combined with the restrictive pricing mechanism, the so-called average price—the average price of controlled oil and new oil—there is a real possibility that consumption will increase. As the price of oil is held artificially low, the American consumer will be encouraged to buy more. Less attention will be given to the development of energy alternatives. In addition, with an artificially low price, production will fall even further behind the demands of consumers. Result: More imports.

Of three major studies undertaken to show the effects of the conference report legislation, all predict that imports will increase faster with the adoption of this bill than with immediate decontrol. No studies indicate decreasing imports under this bill. Perhaps even more condemning, the Federal Energy Administration pre-

dicts that this legislation will cause an immediate increase of imports over what we would have if we kept the status quo; that means more important with the bill than with the current price controls! A study by Data Resources, Inc., a private think-tank, claims that imports can be expected to rise up to 1,300,000 barrels per day by 1977. The American Petroleum Institute sees imports up an additional 3,400,000 barrels per day by 1980 as a result of this legislation.

Mr. President, this is absolutely contrary to the direction Congress has been proclaiming for the past year. Our initial attempts at forging an energy policy were aimed at reducing the level of imports of 1 million barrels per day within 1 year. Now, if this bill is enacted, we will see the exact opposite: We will have succeeded in increasing our imports by over 1 million barrels per day within a year. This is not energy policy; this is political capriciousness.

I cannot support a bill which has all the trappings of an energy policy, but which is built around a hollow shell. Growing dependence on imports prompted the embargo crisis 2 years ago and proved the strength of the OPEC cartel. To date, Congress has done little to curb that growing dependence. I refuse to vote for a bill which is palliative and a disguise to the real problem.

Mr. MUSKIE. Mr. President, ever since the OPEC embargo plunged the world into the energy crisis 2 years ago, our Nation has been muddling along with no real, comprehensive energy policy. As a result, the very complex problems of energy price, supply and conservation, have been even further complicated by political problems such as Presidential threats to decontrol domestic prices and partisan disputes of who is to blame.

We have an opportunity today to put an end to these problems. We have an opportunity today to give our approval to a rational, comprehensive energy policy for the Nation.

This policy, embodied in S. 622, the Energy Policy and Conservation Act, is not a product of partisan politics, as one might surmise by reading the list of those who signed the conference report. It is, rather, the end result of a thoughtful and bipartisan committee effort, which was marked by an unusual amount of participation by Administration officials. These officials, in fact, assured the conference committee members that the agreed to bill would be acceptable to the administration. And while the President has not yet chosen to indicate his approval, I trust that the assurances given to the Congress by his representatives still hold.

I continue in my trust because I would like very much to see S. 622 become law. I think it makes sense.

Those of us from New England have a special interest in energy policy because of our region's heavy dependence on petroleum. We know firsthand the effects of skyrocketing oil prices and supply shortages. We know that we must have a rational energy policy and we must have it now.

This legislation makes sense for my home State of Maine, for New England,

and for the Nation. It would stabilize prices by rolling them back a small amount immediately and allow them to rise slowly over the next 3½ years. It would guarantee conservation by setting strict standards. And it would give the President the authority he needs to deal with another severe shortage should one occur.

S. 622 represents an important step in moving the Nation toward a brighter energy future. I urge my colleagues to support it.

Mr. KENNEDY. Mr. President, I shall be very brief.

My purpose in these remarks is not to review the many substantive features of the Energy Policy and Conservation Act. The act represents the best consensus possible to achieve a sensible and sound long-run energy program. Other Senators, particularly those who participated in the 5-week conference, have presented these features in detail and argued persuasively why they should become law.

Anyone who has studied the energy issue knows that the United States cannot begin to manage its energy problems without providing for a national strategic petroleum reserve to protect the country from future oil embargoes, a mandatory program of fuel economy for automobiles, an energy efficiency labeling program for major appliances, authority to order the conversion of electric powerplants to coal, incentives for the development of new coal mines, federally funded State conservation programs, industrial energy efficiency targets, and Government access to industrial cost and pricing data. And, of course, S. 622 contains a hard-won compromise on the oil pricing issue, one that probably satisfies no Senator completely but one that, in my judgment, is the best we are likely to obtain in the foreseeable future.

Because the Energy Policy and Conservation Act contains these important provisions it should be approved by the Senate and signed by President Ford.

My purpose in these remarks, however, is to underline for the Senate the likely consequences of S. 622 not becoming law.

As chairman of the Energy Subcommittee of the Joint Economic Committee, I want to stress the serious economic consequences that would occur if this legislation should fail of passage or be vetoed by the President.

Next week the Joint Economic Committee's staff evaluation of the administration's current services budget will be released. Without going into detail prematurely, I can say that this report underlines the highly fragile nature of our present economic recovery.

It points out that by the middle of next year we are likely to be at a point where growth in output will be barely adequate to prevent a new rise in unemployment. Many of the factors in the current recovery, such as the sharp growth of business inventories and the recovery of residential construction, will have subsided. Similar economic analyses have been prepared by the Congressional Budget Office and the Budget Committees of the Senate and House.

In other words, our present economic

or civilian forces could be used for military purposes in Angola.

But I think Senators should realize that the reach of the Tunney amendment goes much further than that. The question my amendment, which is really a substitute, poses is: Do we want to close the door, tie the hands, and cut off any and all flexibility of the executive branch in this situation.

In other words, should there be no way that we can provide any assistance to the majority of people in Angola who are resisting Soviet imperialism at the present time?

I am not ready, frankly, to endorse the use of funds for covert purposes in Angola, but neither am I ready to say that the executive branch should not have some flexibility.

Mr. President, before we vote on this issue there are some facts that need to be recited that were not mentioned earlier.

The Soviet Union has spent vast sums of money in support of the MPLA, sums far larger than we have talked about here.

In a clear act of international aggression, Cuba has sent thousands of well trained and equipped soldiers—Jack Anderson reports there are now 6,000 Cubans fighting in Angola—and it is clear from press accounts that these soldiers, armed with Soviet tanks and rockets, are largely responsible for the military successes of the MPLA. Other estimates differ between 4,000 and 6,000.

Mr. PASTORE. Will the Senator yield for a question?

Mr. GRIFFIN. Will the Senator allow me to make a few points, and then I will be glad to yield.

Mr. PASTORE. Of course.

Mr. GRIFFIN. The majority of the people of Angola do not support the MPLA, which at best is credited with the support of 25 percent of the population. Fighting against them—and presently losing because of the massive Soviet and Cuban intervention—are a clear majority of the people under the leadership of the UNITA-FNLA coalition.

While both UNITA and the FNLA have called for an end to the fighting and for free elections to determine the will of the people—as envisioned by the “Alvor Agreement”—the Soviet-sponsored MPLA has refused to agree to elections and is trying to seize control of the entire country by military force.

The stakes in Angola are high. Writing in a recent issue of The New Republic—not exactly the organ of conservative thinking—Tad Szulc observed:

There are numerous reasons for this Soviet interest. Quite aside from its wealth—oil, diamonds, sugar and coffee—Angola is strategically located on Africa's west coast. Control would give Moscow a military presence on the South Atlantic. The Soviets have a foothold in Cuba in the Caribbean and a foothold in Somalia right below the entrance to the Persian Gulf. Bases in Angola, if they were to be obtained, would be crucial in supporting the Soviet fleet both in the South Atlantic and the Indian Ocean, thus facilitating operations along the oil tanker routes around Cape Horn. . . .

If the MPLA reconquers Lobito and south-central Angola, the Soviets may have a

major say in the operations of the Benguela Railway, possibly placing Zaïre and Zambia at their mercy in terms of copper exports. Finally a Soviet-controlled state in Angola would add to the pressures on the white regimes in Rhodesia and South Africa.

Angola has implications for the policy of détente with the Soviet Union as well. After the fall of South Vietnam last April, the Soviets again began to voice strong support for “wars of national liberation” and to assert the Communist victory in Vietnam was a success for the Soviet Union's Leninist foreign policy. As the Washington Post editorialized on November 26:

Moscow perhaps sees a post-Vietnam international setting in which its own power is waxing and American power, or American resolve, is on the wane. Angola may be a test case to establish how much Soviet intervention the international traffic will bear.

I could go on and on, but I only go through this to emphasize and underscore that we have a very critical, very serious and far-reaching international issue before us. I am not convinced that it is in the national interest to deny the executive branch, with one broad stroke of the pen, the flexibility necessary to carry out U.S. foreign policy in a dynamic and changing situation, which is what the Tunney amendment seeks to do. By contrast, using the Cooper-Church language, my amendment would make it clear that none of these funds—and if I could do so under the rules of the Senate, without having it ruled out of order as legislation on an appropriation bill, I would say funds not only under this bill, but under any act—could be used to support any U.S. personnel for military action in Angola.

I think we all agree on that. I would urge the Senate not to adopt the Tunney amendment, but to take the language that I have offered as a substitute, which it seems to me would make very strong policy, but would be the kind of statement with which we could all live. It would not put any stamp of approval upon CIA covert action with regard to Angola, but it would leave the Executive branch with the kind of flexibility in the implementation of foreign policy that it needs to have.

Several Senators addressed the Chair.

Mr. GRIFFIN. I yield to the Senator from Rhode Island.

Mr. TUNNEY. Mr. President, who has the floor?

Mr. PASTORE. Mr. President, I do not believe there is any dispute at all—

The ACTING PRESIDENT pro tempore (Mr. STONE). The Senator from Michigan has not yielded the floor, has he?

Mr. PASTORE. No, he yielded to me for a question.

The ACTING PRESIDENT pro tempore. The Senator from California is advised that the Senator from Michigan still has the floor.

Mr. PASTORE. I quite agree with the Senator from Michigan that we all understand the criticality that exists in Angola, and we all realize, too, that we do not want to get into another Vietnam. We are trying to avoid that.

But my question is this: The Senator

speaks of a flexibility that he would like to give the administration. What does he envision that can be dealt with with flexibility? What would he do? I mean that is the question that is before this body. How far would we go?

Mr. GRIFFIN. As I understand, based on press reports—and I will use that preface rather than try to relate what might have been conveyed in any secret sessions—this would be in terms of financial assistance which would go to, perhaps, a neighboring state, that would, perhaps, be channeled to these forces to help them resist. To help them. It could be in terms of military equipment, or—

Mr. PASTORE. I do not want to get into any classifications, but would the Senator use the CIA as a “channel”? I mean they are the ones that have gotten us in trouble in many parts of the world.

Mr. GRIFFIN. I do not disagree with the Senator from Rhode Island that the CIA has in the past made mistakes and gotten us into some trouble, but I think the question here is whether we can do away with the CIA, and do away with the possibility of any covert action.

Mr. PASTORE. No, I want them for counterintelligence. There is no question about that. But where does the Congress of the United States come in, as we get into these things step by step? I would like to have something a little more explicit, if we could.

Mr. GRIFFIN. I do not think we should go as far as the Senator from California (Mr. TUNNEY) would have us go, at least on the record at this point. I would go as far as my amendment proposes, which I think the Senator would agree would be a long, solid step. But I wonder if we have the knowledge, I wonder if we have the information, that we should have before we tie the hands of the Executive to the extent that the Senator from California is asking us to do.

Several Senators addressed the Chair.

Mr. GRIFFIN. I yield to the Senator from Louisiana.

Mr. JOHNSTON. I presume that under the Senator's amendment, the United States would continue to give aid until something happens. Generally that means until we win. I wonder, in the case of Angola, if the Senator's amendment passes, what event do we look to as the point at which we can say we have achieved our goal, that we have achieved our objective, and we can stop, now, giving aid?

Mr. GRIFFIN. I cannot answer the Senator's question, and I would not presume to. As I have indicated, I am not necessarily advocating that we do anything in this particular instance. I am only saying I do not think we should close the door and make it impossible for the executive to have some flexibility at this point.

Mr. JOHNSTON. We are talking about the spending of some \$50 million American dollars and getting on some kind of, perhaps, long-range commitment. Do we have any goals in Angola?

Mr. GRIFFIN. This is a 1-year appropriation bill, so if the Senator is talking about getting another crack at it, obviously the appropriation bills come

along every year. We are not making a decision of any kind, it seems to me, of the nature that the Senator from Louisiana is concerned about.

Mr. JOHNSTON. I would hope that someone would try to define as clearly as they can for my edification, and I am seeking information, what our goals are in Angola, because I think that was one of the problems in Vietnam. I do not think this will lead to another Vietnam, but that is one of the problems if we get into one of these things without having a goal. We do not know when we have achieved our objective, and there is no end to it. Pretty soon it gets to be just a question of credibility.

Several Senators addressed the Chair.

Mr. GRIFFIN. Mr. President, I am willing to yield the floor to others.

The ACTING PRESIDENT pro tempore. Senators will suspend momentarily until we can get order.

The Senator from Michigan still has the floor.

Mr. CLARK and Mr. BIDEN addressed the Chair.

Mr. GRIFFIN. I think the Senator from Delaware was on his feet first.

Mr. BIDEN. Mr. President, I would like to ask the Senator from Michigan a question, if I may.

He has read a portion of an article from the New Republic, stating that a Russian dominance in Angola would give them a strategic foothold in the South Atlantic. The article went on to cite the wealth of the country with regard to oil, diamonds, and the railroad that goes through Angola, and the pressure that would be brought on Rhodesia and South Africa.

I would like to ask the Senator whether or not he believes that there would be a strategic advantage gained by the Soviets, and what that advantage would be, with regard to the United States? How would that affect our interests? Secondly, what difference does it make to us? What difference should it make to us? What pressure is placed on Rhodesia and South Africa? I assume the author is talking about exacerbation of the black-white conflict that exists there. What is the United States interest in either of those situations, assuming they are true?

Mr. GRIFFIN. I was quoting from the article in the New Republic. I do not depend on everything that is said in it, and I am not here advocating that this should be our policy. I am only saying I am not ready to say it should not be. That is my point.

Mr. BIDEN. Does the Senator believe we have any strategic interests in Angola?

Mr. GRIFFIN. I think that the location of it, the geopolitics of it, indicates that we ought to be very much interested and concerned about the establishment of a Soviet satellite in Africa; yes.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. GRIFFIN. I am glad to yield to the distinguished Senator from Arizona.

Mr. GOLDWATER. For the probable edification of my friend from Delaware, before we took the very liberal attitude of encouraging our friends around the

world to quickly dispose of their colonies, the United States could depend on, I believe, 16 or 18 ports around the world. If Angola is lost to the Soviets, we have only eight now. This in itself is a matter of great strategic importance to the United States, because as long as we depend on oil from the Middle East, and that will be for some time, the oil that is delivered to the United States by way of the Atlantic would pass Angola at the smallest part of the South Atlantic, and possible enemy controlling the two ports, one good port and one not so good, in Angola, could, if they wanted to, use Angola as a base to prevent or slow down shipments of oil to the United States.

I see this as a definite strategic advantage to any country that could wind up friendly with whatever government we may find in Angola.

That is the reason I think it is to the United States' interest to pursue this.

We are having a difficult time, for example, in this Senate and in this Congress getting a group to agree that Diego Garcia is an important place in the most strategic place in the world, in my mind, the Indian Ocean, for much the same reason that I am reciting our loss of friendly ports around the periphery of Africa.

So I am trying to add whatever I can to this discussion as what I see that particular part of South Africa as being of value and vital to our strategic interests.

On the other hand, I might be completely wrong. We might find the Soviets on our side some time. So far, we have not had that pleasure. Until we do, I think it is of the utmost importance to the United States to maintain friendly relations with countries, even though we may disagree with them on the use of ports, and so forth.

Several Senators addressed the Chair.

Mr. BIDEN. As I am sure the Senator knows, we have made little or no use of those two ports, as long as they have existed and have been available to the United States.

Mr. GOLDWATER. That is correct.

Mr. BIDEN. I am sure the Senator knows that.

Mr. GOLDWATER. Yes. We have not made particular big use of other ports, but we had them accessible. If the Soviets have control of whatever government ends up in Angola I say, with some assurance, we will not have access to those ports. One of them is not too good. The other one is so-so.

Several Senators addressed the Chair.

Mr. CLARK. Mr. President, will the Senator from Delaware yield?

Mr. BIDEN. Yes.

Mr. CLARK. I wish to ask the Senator from Michigan about his amendment.

As I understand it, the amendment would do absolutely nothing to affect our present activity or our planned activity in Angola. It would rather address itself to a very important question and indeed important enough, I think, that if it were added to the Tunney amendment, rather than substituted for it, it ought to be adopted because it does say that no American personnel, military or civilian,

should be used in Angola. I think that is a good addition to the Tunney amendment.

Unfortunately, it is offered as a substitute. The question before the Senate, of course, is whether we ought to continue covert activities of the kind that we have already entered into and planned to continue. It does absolutely nothing, as I understand it, with any of the military assistance programs, any CIA activity, any credit arms sales, any commercial sales, paramilitary activities, or payments of cash. None of those, as I understand it, will be affected by this amendment.

Am I correct in that?

Mr. GRIFFIN. The Senator is correct.

Let me respond that the amendment would serve a very important purpose, however, by making sure that such involvement, as we might have in an indirect way through covert activities, would not escalate into the introduction or the use of any American military or civilian personnel in the hostilities.

Mr. CLARK. I compliment the Senator on his amendment. If it were to be withdrawn and added to the Tunney amendment, instead of a substitute for it, I would support it.

Mr. GRIFFIN. And to the extent that Senators have a concern or a fear about that kind of a slide into a Vietnam situation, it seems to me that my amendment would answer that concern.

Mr. CLARK. One further question. As I understand it, then, if we were to continue the present activity, we could put millions of dollars of military assistance in as long as it was done under the present kind of legislative or legal arrangement whereby covert activities could be continued as long as no civilian or military forces of the United States were involved.

Mr. GRIFFIN. The Senator knows as well as I that there are limits in this appropriations bill. When he talks about millions and millions he is talking about years down the road.

Mr. CLARK. Yes.

Mr. GRIFFIN. He is not talking about this appropriations bill.

Mr. CLARK. But it would apply, as I understand it, only to personnel, military and civilian, and in no way affects the present activities that are occurring?

Mr. GRIFFIN. It is almost the exact wording of the Cooper-Church amendment.

Mr. CLARK. I thank the Senator.

Several Senators addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. WEICKER. Mr. President, I rise to make the following points:

First, in regard to comparing the Griffin amendment with the Tunney amendment I should make clear, and I have already expressed myself to the distinguished Senator from California, if I had my way his amendment would be even tighter than it is. In other words there is a third option here. I consider the amendment of the distinguished Senator from California and the distinguished Senator from Massachusetts to be in the middle ground. I would not ex-

empt intelligence gathering, such as is done by the Tunney amendment. After all, that is supposed to be the only duty of the Central Intelligence Agency, but they have used that as a pretense for engaging in all sorts of other activity. In my opinion, the very fact that the Tunney amendment exempts intelligence gathering leaves a door wide open that they could drive a truck through.

If I had my druthers, I would like to see it eliminated.

The fact is that allegations have been made that in the past, under the name of intelligence gathering, Mr. Mubutu was on the CIA payroll. Would President Mubutu still qualify to be on the CIA payroll?

These are questions that have been raised. These have been the abuses in the past.

Clearly they could still continue under the language of the Tunney amendment where it states, "this act may be used for any activities involving Angola other than intelligence gathering, which funds are".

I told the Senator from California that it was my intention to eliminate "other than intelligence gathering," so it would read "nor any other funds appropriated in this act may be used for any activities involving Angola, which funds are."

Point No. 2, there is another loophole in the Tunney amendment. What happens to those funds that are channeled through Zaire into Angola? And believe me, that has been the case. What about replenishing the funds of Zaire? That never appears in this amendment. Yet, on the basis of past history, it will be necessary to do that.

The only reason I make these points is I wish our colleagues to clearly understand that some of us feel that in some ways the amendment of the distinguished Senator from California and the distinguished Senator from Massachusetts is not tight enough. Because I think it is necessary for us to go on record in a practical way, I accept this type of compromise, but that is exactly what I consider it to be, a compromise between my position and the position of the Senator from Michigan which is even more open-ended.

Several Senators addressed the Chair.

Mr. TUNNEY. Mr. President, will the Senator yield?

Mr. WEICKER. I will yield for a question, but I have a couple other points that I wish to make.

Let me yield first to the distinguished Senator from California for a question and then to the distinguished Senator from North Dakota.

Mr. TUNNEY. Mr. President, the Senator indicated there were two rather substantial loopholes in the amendment in that it would be possible, through the intelligence-gathering language of the amendment, to allow more military and paramilitary aid to be given to Angola, or in the alternative, that it would be possible to channel this aid through a third country, such as Zambia or Zaire.

I point out with regard to the second loophole suggested, the diversion to a third country, that the language of the

amendment reads "nor may any other funds appropriated in this act be used for any activities involving Angola other than intelligence gathering, which funds are," and so forth.

Additionally, the way the amendment was drafted by Senator CLARK, Senator CRANSTON, Senator BROOKE, Senator KENNEDY, and myself, we had the language "in Angola" rather than "involving Angola" and we changed "in" to "involving" to close that precise loophole that the Senator suggests still exists.

I do not think it does exist, because I think the word "involving" proscribes any diversion of aid from Zambia or Zaire or any other third country to Angola.

Second, with regard to the first objection—

Mr. WEICKER. I say to the distinguished Senator from California this is the second part of his question.

Mr. TUNNEY. Yes. I shall ask the Senator at the end of my point whether or not he agrees with me.

The ACTING PRESIDENT pro tempore. Will the Senate be in order?

Mr. TUNNEY. The second point is that there is a great difference between covert actions and intelligence gathering.

There is no doubt that some of us feel that the United States should have the ability to gather intelligence in any foreign country where it is going to be advantageous to the United States' foreign policy interests. Clearly, the gathering of information as to what is going on in Angola would be advantageous to our general foreign policy interests. However, some of us feel that covert actions would be seriously detrimental to our foreign policy interests. That is the reason why we use the words "intelligence gathering."

I know that other Senators who have sponsored this amendment are going to speak to this point, but it is certainly my intention, by using this language, not to allow for the shipment of any military equipment or paramilitary equipment to Angola. The purpose is to allow simply the use of funds for the gathering of intelligence.

I ask the Senator from Connecticut, after having heard that explanation, whether he agrees.

Mr. WEICKER. I am satisfied in regard to the first point the Senator from California made in responding to my second point—specifically, the way the amendment is drafted now, it would prevent the use of that money being channeled through third parties.

On the other hand, I am not satisfied as to the language of that amendment locking the loophole since it refers to intelligence gathering, for the simple reason that that is the mandate that presently rests upon the CIA, and it is used for every activity under the Sun. I do not think they are going to pay any more attention to this law, if it becomes such, than they do to the present law.

I think the Senator from California will agree with me that the way this language is written—let me give a specific example and ask a question, without my yielding the floor—it would be possible

still to go ahead and have Mr. Holden Roberto on the CIA payroll even with this language, would it not?

Mr. TUNNEY. It would be possible to put people on the payroll for the purposes of gathering information but not for the purposes of allowing an individual to fight in a guerrilla war.

Mr. WEICKER. Mr. President, I yield for a question to the distinguished Senator from North Dakota.

Mr. YOUNG. Is it not true that the CIA now has less than \$10 million of unobligated funds that could be spent in Angola? If the Tunney amendment were defeated, they would have no more funds approved until Congress approved reprogramming for additional funds, and that requires the approval of the chairman and the ranking member of the Appropriations Committee, the Armed Services Committee of the Senate, and the same in the House—the Appropriations and Armed Services Committees. They would get no more money until then. So, at best, it would be until January, until we meet again and hold meetings or hearings, before they would get any more money. Under our procedure, if one of those eight members of the House and Senate committees disappeared, they would get no more money at all.

The advantage of this would be that the administration would have a chance to present its side of this issue to the members of the House and the Senate committees.

I do not think we should act abruptly this way.

Mr. WEICKER. I have to respond to the distinguished Senator by saying that, unfortunately, we do not know what money the CIA does have. That is one of the bones of contention on the floor of the Senate today—not just as represented in this piece of legislation, but God knows where else it is squirreled. I do not know the answer. I do not think anybody else does, either. I do know that we have to draw the line with respect to policy. That is what is being attempted on the floor of the Senate today.

The other point that has been made is that the United States is involved with two of these factions, one in conjunction with the Chinese, another in conjunction with the South Africans.

Let me point out that the United States is involved with all three factions. As I understand it, the Gulf Oil Co. pays into the banks of Luganda some \$100 million a quarter, in the way of oil royalties or what have you; and that this money is being used by the Russian-backed factions. So, in effect, American dollars, of either governmental entities or this private corporation, are backing all three factions. I think that is a good time to get out. If we are going to be among all three, we can get out and leave everybody at the same time.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WEICKER. I would like to finish.

The figure that has been used regarding additional funding for the CIA has been anywhere between \$28 million and \$35 million. The escalation has been far

greater than that. As I recall, the initial requests in this area were around \$6 million. It was also my understanding that at one point, until obvious hostility appeared, the initial request was for \$100 million, and that this was pared back to the \$35 million which has been referred to on the floor of the Senate today.

Then, again, when it comes to exactly how much money is being spent, it is also my understanding that the CIA has acknowledged some \$17 million as the cost of ordnance supplied into that country. Yet, the cost figures are rather amazing. For example, a .45-caliber pistol is listed at \$5. That is a rather interesting price. So that, actually, the \$17 million that already has been spent on ordnance probably is far lower than the actual figure.

Mr. President, in conclusion, I would only say that I concur completely with the amendment as proposed by the distinguished Senator from California, in that this body is finally waking up to its obligations, and to the fact that wisdom, patriotism, and loyalty do not reside just in the older heads in Washington, D.C., whatever the branch of Government. Rather, those things are in abundance on the floor of the Senate, in the House, and in the executive branch, and better decisions are made when all participate rather than a few.

If there is one thing we should have learned from Vietnam it is that our concepts of politics on any of these continents have to be tuned to facts and historical reality, rather than to a frame of reference born of the cold war after World War II.

I think this fact has become clear, for example, in relations between China and Vietnam. China is no longer enthusiastic about Vietnam and they are reverting to their traditional and historical roles of antagonism toward each other.

Believe me, no white superpower is going to establish itself on the continent of Africa. It is not going to happen. The Soviet Union is a society far more racist than ours. I do not think they stand a prayer of establishing themselves on the African continent. No white nation will do that.

Therefore, I discount that argument, as I discount the rationale in Vietnam, where our reason for entering the war was that China was going to benefit enormously, regardless of what history had taught us up to that point. Now we are asked to act regardless of what history has taught us about Africa.

I support the Tunney amendment. I think it is clear that the involvement of this country in Angola is even greater than that which has come to public attention or to the attention of the U.S. Senate. As a matter of policy, I think it is time that we drew the policy and drew it here, tonight.

Mr. JAVITS. Mr. President, will the Senator yield for a question?

Mr. TUNNEY. Mr. President—

Mr. WEICKER. I yield to the distinguished Senator from New York for a question.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut has

the floor. The Senator from California is seeking recognition, but the Senator from Connecticut has the floor.

Mr. JAVITS. Mr. President, the Senator has pointed out various loopholes in the Griffin amendment. But is it not a fact that the major loophole is the very avoidance of the very issue we are debating? We are debating now whether to give military assistance to Angola. That is the issue, because that is what money is supposed to be in this bill somewhere.

The Tunney amendment says:

Nor any other funds appropriated in this act may be used for any activities involving Angola, other than intelligence gathering.

That would include military assistance, not personnel.

By the way, I point out that the Griffin amendment is covered fully by the War Powers Act. That is why we passed it. If we are going to put people in hostilities or imminent danger of hostilities, we have a tight arrangement to cover that.

I ask the Senator: Is it not a fact that if we adopt the Griffin amendment, we simply allow an administration to proceed as it is proceeding in the very thing that we feel we have joined in—to wit, giving military materiel assistance in or about or directly or indirectly to the Angolan struggle?

Mr. WEICKER. If we adopt the Griffin amendment, that is correct. The Senator is correct.

Mr. JAVITS. Mr. President, I should advise my colleague that I hope—even if it is adopted, and I hope it is not—to add the necessary language to close that door, because that is exactly what we are arguing about.

Mr. WEICKER. I yield the floor, Mr. President.

Mr. TUNNEY. Mr. President, I wish to make a few points as to what the Tunney-Brooke amendment does and what I think the Griffin amendment does not do. Then I shall yield the floor very quickly, because there are others who have spent a great deal of time on the subject of military assistance to Angola who are very knowledgeable—men such as Senator CLARK, Senator CRANSTON, Senator BROOKE, and others.

I wish to point out, No. 1, that it is the intention of the authors of this amendment that intelligence-gathering does not mean military aid of any kind. It does not mean the financing of military forces in Angola. It does not mean ferrying or transporting forces or equipment to Angola or to any other country so that they may be shipped to Angola.

It is very clear, at least to the drafters of this amendment, that what we mean is that the moneys under this defense appropriations bill can only be used to collect intelligence.

I know that we may have entered the world of double talk or "newspeak," as George Orwell referred to it, when the precise meaning of words does not mean to a party who does not want to agree to it what the drafters of the language intended. But we intend—and this is, hopefully, legislative history—that this money can only be used for the collection of intelligence, but certainly not for

any military or paramilitary activities whatsoever.

The problem with the Griffin amendment, as the Senator has offered it, is that it is, in effect, a substitute for the language which proscribes the use of funds for military or paramilitary activities. The Griffin amendment says that we cannot send troops to Angola, but it would certainly allow us to continue to spend money to support one, two, or more factions that are fighting in Angola. That, of course, is the problem that some of us feel is going to destroy our foreign policy interests in Africa and other parts of the world.

To give an example of how tricky the problem is, I just heard from my distinguished colleague from Hawaii (Mr. INOUE) that he was approached by the administration to permit fund transfers through Zaire, in his position as chairman of the Appropriations Subcommittee on Government Operations. He refused, and his committee is going to continue to try to plug up this hole.

That is how tricky it is. Here we are, trying to participate in foreign policy decisions through the use of the purse strings, and we have a perfect right to do that under the Constitution, and the executive attempts to nullify our actions by slipping in secret appropriation measures that nobody knows anything about. Certainly, from the language that is contained in the bills that come before us, there is no way of finding out whether the money is intended to support military or paramilitary activities in places such as Angola.

As to the merits of cutting off funds to Angola, I think it is quite clear that we have spent many tens of millions of dollars in the past year in Angola supporting UNITA and FLNA. It is also clear that UNITA is being supported by South Africa. It is clear that the FLNA has been supported in the past by Communist China.

It is also clear that the MPLA, which is being supported by the Soviet Union, and which is the third faction, has been supported by 14 black African countries, who are ardent in their opposition to South Africa.

Dr. Neto, who is the head of the MPLA faction, is a protégé of the Socialist, Mario Soares, in Portugal. Mario Soares is the Socialist leader who is considered moderate, who is supported in Portugal by the United States.

Mr. McGOVERN. Will the Senator yield on that?

Mr. TUNNEY. Yes.

Mr. McGOVERN. Is it not a fact that when the Chinese discovered that the South Africans were coming in to back the same two factions that we had supported along with the Chinese, they thought that was time for them to get out, that they did not want to be identified on a black continent with a government that is thought to be a racist white government? Therefore, they made a political judgment, without regard to the financial cost, that they did not want to have anything more to do with backing these two groups that, previous to that time, we had supported with them.



Mr. TUNNEY. That is correct. That is my understanding.

Mr. McGOVERN. The Senator, I know, has studied these three factions that are struggling for control in Angola. I can say that I listened to the briefings of the CIA people and the Department of State and others for hours about these groups and what they were attempting to do. Does the Senator understand where the American interest is involved in any way with the triumph of one of these three groups? In other words, what difference does it really make to the security of the United States whether the MPLA or the FNLA or the so-called UNITA group wins? Why do we really care in terms of anything that affects the interests and well-being of the people of the United States—or, for that matter, the interest and well-being of the people of Africa?

Mr. TUNNEY. I do not see how it makes a great deal of difference other than the fact that, apparently, our Secretary of State has a particular fear of Soviet involvement anywhere. He feels that the Soviet Union has decided to challenge the United States in Angola, and therefore, he is apparently prepared to escalate our assistance to other factions, despite the fact of their being backed by the South African Government, and despite the fact that many observers feel that there is no way that the two factions that we are backing can possibly win.

It does not make any sense to me. I was talking the other day—yesterday, as a matter of fact—to three representatives of the CIA. They are knowledgeable about Africa. This is their specialty. I was asking them whether it made much difference which group, which faction, won. The answer was that they saw that it made very little difference, that there was practically no ideological difference among the three groups and that it was clear that all three groups were primarily pro-Angolan. They were only nominally pro-Soviet or pro-Marxist, or pro-American; they were basically pro-Angolan, Socialists, and highly nationalistic. It seemed clear to them that, whether the Soviet faction won or one of the other factions won, they were going to be independent. They were going to run their government in an independent fashion.

I have not been, as Senator CLARK has, to Angola. I have not met with the three leaders and Senator CLARK is going to have an opportunity to tell us in a few minutes what his experiences were there. But it is clear to me that there is no real foreign policy interest which justifies the United States pouring tens of millions of dollars, and perhaps eventually, hundreds of millions of dollars, down a rat-hole, causing more death and destruction in that country, siding with South Africa in a way that is going to alienate all the other black African nations.

It is clear, also, that a country like Nigeria, which is so important to the United States—it is our second largest foreign source of supply of oil, our most important source of sweet crude—low-sulfur crude—is going to be outraged and alienated if the United States, over a

period of months and years, is supporting a faction that is being supported by the South Africans, inasmuch as the Nigerians have been some of the principal leaders in black Africa against the white government in South Africa.

Mr. McGOVERN. Is the Senator not saying in effect that that is why the Chinese were smart enough to pull out? They did not wait until some legislative body in Peking ordered them to get out, they saw the handwriting on the wall. When they saw the South African Government move in behind us in support of these two other factions they thought it was time to get out in terms of their own posture in Africa.

I would like to ask the Senator one other question. Has not the Soviet record of intervention in Africa generally been a self-defeating one? In other words, in one country after another where they have played this kind of a heavy-handed role they have turned out to be unwelcome. They have had, perhaps, not as painful an experience as we have had in Vietnam, but they have discovered that a white imperialist government is not popular in Africa; is that not the case?

Mr. TUNNEY. I think that is the case.

Mr. McGOVERN. It seems to me the logic of the argument we have heard here that because the Soviets have backed the MPLA faction that we have to back one of the other two, that would lead us to the conclusion that if the Soviets decide tomorrow to change their backing to one of the others, then we have got to suddenly change our ally and maybe back the ones the Soviets have been backing today.

The whole thing seems to be so preposterous that I cannot understand why this Government would even consider pouring tens of millions of dollars into one of these particular factions.

We read in the press this morning that some \$60 million is being invested in activities by our Government to support the so-called FNLA and the UNITA group.

I do not think it makes 60 cents worth of difference to the interests of the United States which one of these three groups ultimately prevails. I hope the Senator's amendment will be adopted.

Mr. McCLELLAN. Mr. President, will the Senator yield for a question?

Mr. TUNNEY. I will be glad to yield to the chairman of the committee, and I will then yield to the Senator from Ohio.

Mr. McCLELLAN. I want to assure the Senator I ask this question for a sincere purpose of getting information. If we have no legitimate interests there, if it means nothing to us that Russia takes—

Mr. McCLELLAN. Mr. President, will the Senator use the microphone. We cannot hear him.

Mr. McCLELLAN. All right.

What I am trying to ask is if we have no interest there, if it means nothing to us who controls it or who does not, why does it mean so much to Russia? Can the Senator give me that answer?

Mr. McGOVERN. Is the Senator asking me that?

Mr. McCLELLAN. I would like to know.

They seem greatly concerned and are spending a lot of money. There is something there for somebody or something or they at least—they are either stupid or they think there is.

Mr. TUNNEY. I think we have to be concerned about Soviet intervention in Angola and other parts of the world. I think it is clear that the Soviet Union is expansionist and clearly the Soviet Union wants to royal the pot wherever they can. Of course, they are going to try to do it. Certainly I am not suggesting that the United States become pacifist.

I believe in a strong, adequate defense posture, but I say one of the ways or the most important way to handle the Soviet involvement in Angola is to go to the heart of the problem—the Soviet leadership. We are just about to enter into or we have entered into a grain agreement with the Soviet Union where we are going to be sending them food that they need desperately, apparently not only to feed their own people but to live up to commitments for grain exports they have made to satellite countries, and there does not seem to me to be any reason why we cannot use this as one bargaining chip to encourage them to make détente a living, vital force rather than a sham.

The Soviet Union, as the Senator so well knows has stretched the SALT agreements to the limit. Perhaps we should suspend the SALT talks for a time as a signal to them if they are going to continue their intervention in Angola.

Additionally, there is no reason for us to transfer technology to the Soviet Union without some compromises on their part. But what we do not have to do, in my view, is to spend tens of millions of dollars and come down on the side of South Africa, perhaps endangering the moderate regimes all over the rest of Africa.

I think there are many reasons why we can be deeply concerned about the Soviet intrusion in Angola, and we can do things to meet that intrusion other than spending our treasure and causing great problems to the supporting of military and paramilitary activities in that country.

Mr. HUMPHREY. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. I had not quite finished.

Mr. HUMPHREY. Go ahead then, please.

Mr. McCLELLAN. I understand the Senator feels, do I understand the Senator feels, the way for us to combat Russian expansion is to simply cease to have business relations with them by not selling them grain and not having other business transactions? Is that the answer the Senator uses?

Mr. TUNNEY. Not at all. It depends on the place. If the Soviet Union were to intrude upon Western Europe I would be prepared to use military force as our NATO allies and treaty agreements provide. I would not be prepared to use tens of millions of dollars in Angola when it will only result in a further deterioration of our relations with the great majority of African states.

I do not think it is a good thing for the



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taxpayers of this country to have to have once again an open-ended secret commitment made in an underdeveloped part of the world which is going to produce more inflation, more disruption and dissent, and higher taxes, and the Senator knows it as well as I. It is also going to result in a greater loss of national security as a result of the damage it is going to do to our relations with pro-American black African states.

Mr. McCLELLAN. I may say to the Senator I do not think I could be accused of squandering money of foreign governments. I voted against all the foreign aid ever since 1954.

Mr. TUNNEY. Here is another chance. [Laughter.] I urge the Senator to accept my amendment.

Mr. McCLELLAN. I know this is another chance, but I will be asked before the end of this session of Congress, and I am asked now, to vote for billions of dollars to combat Russia in other places of the world.

Now, she is expansionist, the Senator admits that. I am not saying necessarily this money should be spent, but I am trying to get this thing in its proper perspective. If this is so valuable to Russia that she is willing to spend millions of dollars, as she is, to gain control, evidently she thinks it is of some value to her in a strategic plan of world expansion.

It may be that it is of no value to her. Maybe she is stupid and it may be she is mistaken. But, obviously, she feels it is of some great strategic value to her, and I assume of military strategic value for her to aid the forces she is aiding down there.

If she succeeds, I am not so sure that all of this expectation that has been expressed here that it will do them no good, they will not be able to control anything down there, I am not sure that can very well be depended on.

I am not overenthusiastic about any of this, but I do think we are going to put ourselves in a position here where it is going to look to Russia like it is going to look to our friends as if after we have gotten this thing all out in the open all around the world, every time Russia wants to expand and we are in that area then we start retreating. If this is going to look like a retreat I think it ought to be thought about again.

Mr. HUMPHREY. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. I want to thank the Senator for yielding.

Mr. TUNNEY. Yes, I want to thank my distinguished friend for his questions.

I promised to yield to the Senator from Ohio and then I will yield to the Senator from Minnesota.

Mr. TAFT. I thank the Senator for yielding.

I want to ask the Senator a question. Let me lead up to it with a preliminary remark or two. First, I feel very frustrated, as I am sure many of the Members of the Senate must feel frustrated, about how this issue has come up, about the information or lack of information with regard to it.

I have long had the view that we pretty much ought to stay out of Africa

and African affairs, and I probably will vote with the Senator on his amendment when we get to it, and vote against the Senator from Michigan's amendment. But before doing that I think I ought to say I feel we are legislating a vacuum. To some extent we have had a limited presentation of what we have done. I do not think we have had any presentation of why we have done it to date. I do not think we have had any statement of what the objectives are. I do not think we have had any indication of what we plan to do from either the Executive or, for that matter, from the committees of Congress.

This I find to be a very frustrating exercise.

There has been some discussion of the strategy involved and the strategic necessity of this area.

I am very concerned with this. I am currently in hearings on antisubmarine warfare looking at the entire South Atlantic problem. But so far as a review by the committees of the Congress, what really is the strategic impact of this, we have had none.

Here we deal with the CIA which is supposed to be in the jurisdiction of the Armed Services Committee. There was an inquiry yesterday as to what information they had with regard to the entire matter. They said they had absolutely no information with regard to it.

We have not had a hearing here on the whole issue.

Finally, we had the subcommittee meet and discuss it yesterday at great length, I know. But it always seemed to me when we passed a war powers resolution, one of the concomitant principles which I thought was involved, that I backed at that time, was that we were annually going to have a review in the appropriate committees of the various areas of activity in the world where we should have some concern.

We have not had that. We have not had a single hearing of the Armed Services Committee on this issue.

I just have to say, under those circumstances it seems to me the burden of proof is certainly upon those who advocate that we should be taking some particular action.

They may be absolutely right. The Senator from Michigan in his resolution may be absolutely right.

We have had discussions, at times I know, in the Foreign Relations and Armed Services Committees to do this kind of thing at the beginning of a session. I had hoped we would start next year. I do not see much prospect, but I think we ought to start.

The other thing is that I think we have to take another look at what we have discussed before here on the floor, and that is the whole area of how we do report on covert activities, of how we finance them in the CIA.

I do not think there is any way today where we can trigger the kind of discussion and debate we want to have before we are called upon to make this kind of decision out of the present mechanism we have as far as the control of the CIA.

Does the Senator think both points are to what we should be looking at in the entire Senate?

Mr. TUNNEY. I cannot agree more. I think it was an excellent statement of what the basic questions are in this body. I feel as much in the dark as the Senator from Ohio. I want to thank him for his very good statement.

Mr. TAFT. I thank the Senator for yielding.

Mr. HUMPHREY. Will the Senator yield to me?

Mr. TUNNEY. I promised to yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, let me just, first of all, say that the African Affairs Subcommittee chaired by Senator Clark held hearings on the relationship of the United States to African countries, and that, in part, involved Angola.

The chairman of that subcommittee has taken his responsibilities very seriously and, with appropriate staff, made an extended tour in Africa, including Angola.

We have had 280 pages of testimony in the Committee on Foreign Relations in Africa, and primarily Angola.

So it is not as if we are totally unaware of what is going on there. To the contrary.

The point is that the administration never came forth on its own. The policy on Angola was being formed and fashioned in secret. It became what they call a covert operation which blossomed into a full-page headline in the leading newspapers of the United States, which in turn compelled Members of this body to say, "What is going on here?"

In the beginning of this year, in January 1975, we were involved in Angola to the sum of \$10,000. We are now up to considering \$60 million.

The issue here is not whether we ought to be helping Angola. The issue is who makes policy about help in Angola.

First of all, let us keep in mind that Angola is represented today by warring factions of three separate tribes.

By the way, I doubt that anybody in this body knows much about those separate tribes, their customs, their background, their hangups, their prejudices, and all that kind of thing.

We have decided to be on the side of two of the groups because of our involvement with Zaire and Zambia. We were helping because of their interests, primarily.

The Soviets got involved here, not in massive amounts in the beginning. They got in just like we did, a little at a time. As we stepped up the ante, they stepped it up. But the difference is they do not have any public opinion, they do not have a parliament that is really an open parliament, and their government can go willy-nilly, push vast sums of money into Angola or elsewhere.

But I am here to say, Mr. President, that every instance in Africa where the Soviet Union has expended billions of dollars, as it has in North Africa, hundreds of millions as it did in Egypt, in every country the spirit of nationalism triumphed over the intrusions of communism, and that ought to be remembered in this debate.

So we are talking about whether we are going to put a stop order on the activities of the executive branch of the Govern-

ment through the CIA to establish policy by preempting the field before we get a chance in this Congress to know what is going on.

Now, we let this happen in Vietnam, I know. I was in this body when we had all too little information. Then I became Vice President and was surrounded by information.

Thank God we have now the opportunity to debate this in the open where at least we can have some conflict of opinion and some difference of opinion to air what could be one of the fundamental issues facing this Congress.

Angola today is a former Portuguese colony, really not governed, it is in a civil war and will be in one for a long time, the United States and the Soviet Union notwithstanding. For us to become openly involved when knowing so little is the blind leading the blind, the fools following the fools. It is just ridiculous.

Mr. President, let me say what the Defense Department can do here.

The Defense Department has a huge budget and it is possible within that budget to reprogram funds to the amount of \$750 million with their programs.

That amount can be used for activities that this Congress would have no control over at all unless we insist that there be a justification for what is asked and what is done.

I call to our attention that we are not just talking about \$28 million or \$30 million. We are talking about a potential of three-quarters of a billion dollars of reprogramed funds. That is why this amendment of the Senator from California should not even deal with the money part of it, in terms of figures. It should really start out that none of which of the funds—none of which—none of which, nor any other funds appropriated in this act, may be used, et cetera, et cetera.

Mr. President, the Congress needs to review this entire matter of our relationship not only in Angola but in all of Africa.

How much money do we think we were making available for the whole continent before the Russians got involved in Angola? One hundred and fifty million dollars. For economic aid, for technical assistance, for medical help, anyone can name it, \$150 million.

Now they have got 200 or more Russian advisers. They sent in some Russian rockets and, by the way, many of those forces do not know how to use them. They scare each other to death, according to the testimony we have had. They have got 3,000 or 4,000 Cubans there that really want to go home and, according to the testimony we have had, they are in serious moral problems.

Then all at once, in 1 month, we are going to put \$60 million in to chase the Communists away when there is a whole treasure house in Africa, people crying out for their independence, people that are nationalistic more than anything else, and for years we ignored them, for years.

I was chairman of the Subcommittee on African Affairs until last year. I tried to do a little something about with our Government to see if we could not get

some basic interests in economic development, on reading, writing, arithmetic, on health and food.

Thank God DICK CLARK came here and took over that subcommittee.

I am privileged to chair the Committee on Foreign Assistance.

We have learned more the last year about what this Government is and is not doing in Africa than in the last 5 years. Why? Because when I asked for the money for this Subcommittee on Foreign Assistance, I said that we would exercise legislative oversight, and we have. The oversight tells us that the proposal that is being made by the administration is out of sight, unnecessary, and I think will lead us into incredible amounts of trouble.

Ten thousand dollars, my colleagues, a few months ago; \$60 million now.

Who wants the Soviets in there? God only knows I do not. I believe the President of the United States ought to get that man Moynihan up at the U.N. who knows how to make better speeches than mine, every bit as loud and every bit as flamboyant, to go before the Security Council and lay it on the line and say "Out! Out!"

We ought to be using our good offices with members of the Organization of African Unity, telling them that we are prepared to go out tomorrow morning, to get all American assistance out, and ask them to try to settle this dispute.

As has been mentioned here, as my esteemed colleague from Illinois (Mr. STEVENSON) has noted, we do have other things we can use.

The Soviet Union says they want détente. They say they want trade; they want cultural exchange; they want high technology.

I would like to work with them. I am not a cold warrior in the sense of looking for a battle every day with the Soviet Union. The peace of the world depends on how we work things out. But we need to tell the Soviet Union that it is not a one-way street. We need to simply say to them, "Look, we are prepared to take step No. 1 of honor and decency to leave the people of Angola work out their destiny." Lord only knows, they will be fighting there for months. If any Senator here thinks he can make peace over there in a day or 2, he is a miracle man. He is the man we need. That would be the greatest Christmas present since the first Christmas.

Mr. President, the United States of America better start taking care of things it knows how to take care of. We know so little about Africa, the 800 and some tribes that make up Africa. Where are the experts here in the Senate on the 800 and some cultural organizations or tribes in Africa? I have traveled in those countries. I say it is like a different world. They are magnificent people. They want to be left alone.

The Soviets are in there, and they are going to mess it up? I will tell the Senate something; if I could figure it out myself, I would like to trap them in there. It is like quicksand. They would not know what hit them. They would have these rockets, guns, and halftracks and they will be fighting there for God only

knows how long. But when it is all done, there will be a Nationalist Angola Government which most likely we will not like, most likely unreliable from our point of view because we like our old friends we can have coffee and tea with, an occasional martini or a bottle of beer. They do not always like it that way.

I suggest we take the amendment. I suggest further that we keep in mind what the Senate Foreign Relations Committee is asking us to do. We have laid out a procedure that if the President feels that Angola is a matter of high foreign policy, if he feels it is a matter of national security, then I want the President or his agents, the Secretary of State or the Secretary of Defense, to come before the appropriate committee of Congress, lay out what the request is, and, Mr. President, if there is a reason we ought to be there, I think the majority of the 100 U.S. Senators will concur.

Mr. ROBERT C. BYRD. Will the President yield?

Mr. HUMPHREY. Yes.

Mr. ROBERT C. BYRD. Does the Senator agree that it is about time we used a little bit of market basket diplomacy? The Soviet Union is having its problems with its wheat harvest. Why should we not let the Soviets know that if they are not going to live up to their signature on the Helsinki agreements, not only détente is going to be jeopardized but some of the future grain purchases are going to be jeopardized. Why not use that as a lever?

Mr. HUMPHREY. The Senator from Illinois has proposed such a resolution. I have been privileged to join with him. I ask Senators to take a look at it. We need to do basic legislation in this area, but in the meantime we have an immediate proposition before us. We have a conference report on the defense budget. I want to say again, Mr. President, that in that defense budget there is the possibility of the transfer of funds of three quarters of a billion dollars. That is just in the hands of people who can play games with the money. I submit that that amount of money ought to be under the control of my distinguished friend, the chairman of the Budget Committee. He ought to have something to say about it. And the chairman of the Appropriations Committee, the chairman of the Armed Services Committee and the members—not just the chairman. The chairmen have a responsibility, but members also have a responsibility.

I think the time is at hand to blow the whistle on this kind of transferability of such fantastic sums of money.

We are rewriting the Military Sales Act. We are rewriting the Military Assistance Act. I have been working at it for days. We are going to put a stop to this business of peddling arms all over the world. We are going to put a stop to this business of the executive branch deciding willy-nilly what it wants to do and after the fact we are dragged in and told "Here it is."

I want to say it is time to do it because great changes are underway in this country. This is but the beginning.

I commend the Senators from California and their cosponsors. It is not all we ought to have. It does not go to what

I think is an equal balance, but we have no choice. We cannot basically amend a conference report. All we can do, because of the technical situation, is to do what the Senator from California is asking.

I ask my colleagues to listen well. I am not known as a softy on these matters. I do not exclude the possibility of covert operations. I know that a president has to have authority. I do not want to cripple him. But what is needed in this country right now is a closer coordination and cooperation between the executive branch and the Congress. We must not permit, once again, the United States of America to go unknowingly, blindly, into a part of the world where we are so ill-informed. God only knows we are a world power with a half world knowledge, and that is how we got into Indochina. We are going to be involved in the same rotten mess in Africa unless we blow the whistle, and I am going to blow the whistle with my vote, loud and clear.

Mr. MANSFIELD addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. MANSFIELD. Mr. President, first I commend the Senator from Minnesota for making a speech which has gone right to the heart of the matter and which I think lays down a firm foundation as to what the foreign policy of this country should be in relation to the Angolan situation, which, as he pointed out, has developed with such suddenness from \$10,000 donated on the part of this country, or allocated, in January to a figure approaching \$35 million at the present time, and to which will be added something on the order of \$28 million very shortly.

I do want the Senator to know how much I appreciate his comments. I, for one in this Chamber, have been fully aware for a good many years of the Senator's attitude toward the situation in Vietnam when he was Vice President of the United States.

I want to say that it was just about as close to mine as it could be, despite the reports which emanated from the White House and despite the difficulties which the then Vice President had to undergo.

I am sure that everybody is still fully aware of my feeling on Vietnam because it left scars on me and on us which will never, never go away but which must never, never be repeated again.

#### UNANIMOUS-CONSENT REQUEST SETTING A TIME CERTAIN FOR THE VOTE ON THE GRIFFIN AMENDMENT AS MODIFIED

Mr. MANSFIELD. Mr. President, I would like to propound a unanimous-consent request, and I specially ask that the distinguished Senator from Idaho (Mr. McCURE), with whom I have had some discussions, will listen. I do so after discussing the matter with the distinguished acting Republican leader, the Senator from Michigan (Mr. GRIFFIN), the chairman of the Appropriations Committee (Mr. McCLELLAN), who has been so patient and so gracious in his handling of this bill, and the distinguished Senators from California (Mr. CRANSTON and Mr. TUNNEY).

I ask unanimous consent, Mr. President, that the vote on the pending amendment occur at the hour of 6:30.

Several Senators addressed the Chair.

Mr. McCURE. Mr. President, I object.

Mr. MANSFIELD. Is the Senator inflexible?

Mr. McCURE. Well, Mr. President, if I may explain the reason, I will reserve the right to object and then restate the objection.

We were in executive session, in closed session, this morning for 3 hours. About 15 minutes of the 3 hours were devoted to discussion of Angola, and about 2 hours and 45 minutes were spent discussing other matters.

We have now been on the pending matter since a little after 4:30, and I have been seeking recognition intermittently during that period of time, and have been on my feet now for the last 43 minutes awaiting recognition.

This has not been a debate, it has been a monologue. If there are members of the various committees that have evidence that could have been submitted in the closed session this morning, it was not. There was evidence on one side of the issue, but not on the others.

I would hope that the majority leader would understand the reason why I feel constrained to object to the unanimous-consent agreement before we have even had an opportunity to initiate the debate from another point of view.

So, Mr. President, I do object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. MANSFIELD. Mr. President, will the Senator still withhold it, briefly? I can understand the Senator's feelings, because we discussed this matter in some detail before I made the request, and I had a pretty good idea what the reaction would be.

But I would point out that the Senate, for the past several weeks, has been meeting on an average of 10 to 12 hours a day, and that the chairman of this committee has been under tremendous pressure and has borne up under it quite nobly. He indicated earlier today, indirectly, in his statement, that he did not intend to go beyond the hour of 6:15 or 6:30, and I can well understand how he feels.

I do think that we ought to face up to the realities of the situation, and in my opinion no matter what any Senator says, no minds will be changed, and the longer we delay the more difficult it is going to be. Tempers will become frayed, the results will be delayed, and the objective which we all seek will not be attainable within a reasonable period of time.

Frankly, I do not intend to keep the Senate in late tonight, because I, too, am as tired as any other Member—not as tired as the distinguished Senator from Arkansas, who has borne this burden so well.

If no agreement is reached in some form or another, it will be my intention to move that the Senate stand in recess until the hour of 9 o'clock tomorrow morning. That hour has already been agreed to. I shall make that motion no later than 7 o'clock this evening if I am able to get the floor.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. MANSFIELD. Yes, indeed.

#### ORDER FOR RECOGNITION OF SENATORS TAFT, PERCY, ROBERT C. BYRD, DOMENICI, AND LONG TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that after the two leaders are recognized under the standing order tomorrow, the following Senators be recognized, each for not to exceed 15 minutes and in the order stated: Messrs. TAFT, PERCY, ROBERT C. BYRD, DOMENICI, and LONG.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ORDER OF BUSINESS

Mr. LONG. Mr. President, will the majority leader yield to me at this point?

Mr. MANSFIELD. Yes, indeed.

Mr. LONG. It occurs to me that there are some matters that ought to be taken care of, such as the amendment to the medicare law which the administration favored, and with regard to which I know of no opposition whatever, the extension of the renegotiation bill, the social security bill, and a number of other measures that I believe could be passed by unanimous consent if we could find time to consider them. I wonder if we might be able to consider some of those things sometime this evening or tomorrow.

Mr. MANSFIELD. Not this evening, may I say to my beloved friend, because we are going against time, as far as time is concerned. But hopefully tomorrow.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS, FISCAL YEAR 1976— CONFERENCE REPORT

The Senate continued with the consideration of the conference report on the bill (H.R. 9861) making appropriations for the Department of Defense for the fiscal year ending June 30, 1976, and the period beginning July 1, 1976, and ending September 30, 1976, and for other purposes.

Mr. CLARK. Mr. President, will the distinguished majority leader yield for the purpose of a motion?

Mr. MANSFIELD. Yes, indeed.

Mr. CLARK. I move to table the Griffin amendment, and ask for the yeas and nays.

Mr. GRIFFIN. Will the Senator withhold that? I am perfectly willing to vote, but there are Senators who wish to speak.

Mr. CLARK. Senators wish to speak on the issue of Angola, and this motion in no way affects the question of Angola.

Mr. MANSFIELD. Mr. President, I wish the Senator would not make that motion at this time. I can understand, but it places me in a very embarrassing position, and I wish there would be some other way at this time, at this moment, so that while I have the floor I will not be in a position of taking advantage of any other Senator, although the Sena-

tor from Iowa is perfectly within his rights.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. Could we not possibly reach an agreement on a time limitation on the various amendments that are pending, so that we would not be forced into motions to lay on the table?

Mr. McCLURE. Mr. President, will the Senator yield to me for a moment, without losing his right to the floor?

Mr. MANSFIELD. Yes.

Mr. McCLURE. As I said a while ago, I have been on my feet since 28 past 5 seeking recognition, and I have not had the opportunity to ask one question. I would hope the Senator would withhold that motion.

Mr. CLARK. Does the Senator intend to speak on Angola or the pending amendment?

Mr. McCLURE. I think the two are inextricably intertwined. I do not think the Senator from Michigan's amendment is unrelated to that issue.

Mr. CLARK. Can the Senator make some estimate of how long he wishes to speak?

Mr. McCLURE. Mr. President, I can respond in this fashion: I had hoped, in the closed session this morning, that we might have made available to Members of the Senate some information given to some Members of the Senate under conditions in which it was not presented to the rest of us. That opportunity was not afforded to us this morning. The Senator from Wyoming suggested that the matter be debated in open session and a determination made whether or not the Senator from Arkansas should be relieved of any inhibition and granted the authority to present the information to the Senate in closed session.

It would be my hope that tomorrow morning we could debate that motion and vote upon it, and then go into closed session for whatever that might produce in the way of information, and then go back into open session and resolve the issue.

Mr. MANSFIELD. Mr. President, I do not see any reason for going into any further closed sessions. It is largely a waste of time, interesting though the proceedings may be. We usually do not end up knowing much more than at the time we went in.

But I must dispute the Senator's contention that no hard information came out of the closed meeting this morning, because I think it was made quite clear, on the basis of statements made by both the chairman of the Subcommittee on Foreign Aid Appropriations of the Foreign Relations Committee (Mr. HUMPHREY), and indirectly, at least, by the chairman of the Appropriations Committee, the Senator from Arkansas (Mr. McCLELLAN), that there was such a thing as—what is the word? Refundable? Returnable?

Mr. HUMPHREY. Reprograming.

Mr. MANSFIELD. Reprograming, that is the word. Reprograming, which indicates that funds can be used for that purpose. Evidence was forthcoming that funds had been used for that purpose,

and I think that those of us who had doubts this morning had those doubts resolved insofar as this particular piece of legislation was concerned.

Mr. GRIFFIN. Mr. President, will the majority leader yield?

Mr. MANSFIELD. Yes, indeed.

Mr. GRIFFIN. I share the interest and desire of the majority leader and the Senator from Iowa to get to a vote on my amendment. I wonder if there is a possibility, could we agree to vote on my amendment, not the Tunney amendment, at 10:30 tomorrow morning? That would give us time, if we could get back to the debate, 45 minutes now and an hour tomorrow.

Mr. McCLURE. Mr. President, will the majority leader yield?

Mr. MANSFIELD. Yes, indeed.

Mr. McCLURE. I thank the majority leader for yielding.

I can only reiterate what I said before. I have not been privy to the discussions that may have involved other members of perhaps the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations. Whatever that information may be was not discussed in any great detail.

I agree with the Senator from Montana.

Mr. MANSFIELD. Not in any great detail.

Mr. McCLURE. The Senator from Montana is exactly correct.

Growing out of a very brief discussion on Angola this morning, we did discover that some funds had been made available and expended, and we have some idea of the amounts of money there might be if this appropriation goes forward, but we have not really gotten into the issues of discussing whether or not we ought to do it.

Mr. MANSFIELD. Mr. President, if the Senator will yield there, the Senator is correct in what he said. It is a matter of interpretation.

But the distinguished acting Republican leader and Senator from Michigan (Mr. GRIFFIN) did make a suggestion which would allow all Members to talk as much as they wished tonight, and that we vote on the Griffin amendment and on the Tunney amendment. I request at the hour of 10:30 a.m. tomorrow morning.

Mr. JAVITS addressed the Chair.

Mr. MANSFIELD. We come in at 9 a.m.

Mr. JAVITS. Mr. President, reserving the right to object, what has been overlooked is that I announced that I had an amendment which I would make to the Griffin amendment if it carried or to the Tunney amendment if the Griffin amendment did not carry, and I wish to facilitate it, but I need to make that reservation. I suggest a half hour on that amendment, whichever way it goes, whether it is added to Griffin or whether it is added to Tunney.

Mr. MANSFIELD. That would be perfectly allowable as far as the Senator from Montana is concerned if it meets the approval of the Senator from Idaho.

Mr. McCLURE. Mr. President, will the Senator yield?

Mr. MANSFIELD. Yes.

Mr. McCLURE. I think the leadership knows that I tried to cooperate in every way possible to expedite not only the flow of this legislation but other legislation. I lean over backwards in an attempt to do so.

Mr. MANSFIELD. That is correct.

Mr. McCLURE. But I most honestly must insist upon whatever right I have as a Member to move to go into closed session.

Mr. MANSFIELD. The Senator has that privilege. All he needs is a second to that, and that would be forthcoming.

Frankly, I am getting a little bit tired, speaking personally, of closed sessions, because I do not think much good comes out of them, but I certainly would not—I could not—oppose such a proposal. The Senator is perfectly within his right, if he wants to make such a motion. But would it be possible in the meantime to reach an agreement to vote on the two pending amendments and the Javits amendments, say, beginning at the hour of 11 a.m. tomorrow morning?

Mr. McCLURE. It would be possible for us to resolve the procedural question that was raised earlier today by the Senator from Arkansas first thing tomorrow and then move into whatever closed session there would be, and then have a time limit for the consideration of these amendments following the closed session.

Mr. MANSFIELD. If that is the best we could get, of course, the leadership has no choice, but I remind our colleague from Idaho that National Airlines and United Airlines are on strike, and that comprises about 23 percent of the transportation business of this Nation. Neither one of them goes to Montana so neither one of them causes me any difficulty. But many Members have their tickets and if they lose out I do not know when they are going to get their tickets renewed.

I think of our colleagues in this body. My mind is made up. I know how I am going to vote, and I think the Senator knows that.

I wish to give some consideration to the distinguished Senator from Arkansas as well. I hope that out of this could come some reasonable arrangement so that this matter could be brought to a head.

I say that, if we cannot come to an agreement on this conference report by Friday at the latest, what we will have to do is to leave it in limbo and go on with the continuing resolution which I think is operative—that is a nice word—until February 15.

Mr. McCLURE. I say to the Senator I did not raise this issue; the Senator from California did. I hope it can be resolved, but I would think, as one Member of the Senate, that even the Senator from California would agree that it is a matter of some import, and we ought to have the opportunity to understand it before we are called upon to vote on it.

Mr. MANSFIELD. I thought I was offering some opportunity when I suggested the hour of 11 a.m. We are coming in at 9 a.m. We have been in now about 10 hours.

Mr. McCLURE. I think we have four

special orders tomorrow morning; is that correct?

Mr. MANSFIELD. That is right.

Mr. ROBERT C. BYRD. We have six.

Mr. MANSFIELD. We have six. We can come in at 8 a.m. How about a vote at 12 noon and come in at 8 a.m.?

Mr. McCLURE. Would it be possible to include in the unanimous-consent agreement that we have the debate and vote on the matter that was presented by the Senator's motion in closed session this morning, relating to the question that the Senator from Arkansas had raised, and then prior to going into closed session that, if indeed there is no very great amount of information to be revealed in closed session, that should not take long.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I say my motion is not pending. It was withdrawn before the closed meeting ended because of the revelations emanating therefrom which took care of it.

Several Senators addressed the Chair.

Mr. MANSFIELD. I yield to the distinguished chairman of the committee.

Mr. McCLELLAN. Mr. President, I wish to make this observation. Practically all of the information that pertains to the CIA and its operations has been revealed to the Committee on Foreign Relations or a subcommittee thereof. They have discussed it all day. Still I am not going to make any statement about it without being released from the obligations I feel I have, but I do not know whether the Senator wishes to pursue that any further. I am satisfied with the situation as it is. I do not know whether the Senator wishes to pursue it, but I am not going to make any statement about it other than repeat maybe what has been said in the Chamber by others.

All I wished to do was to be certain as to whether the Senate changed its position. It has a position on this and it is of record, and as a servant of this body, I was undertaking to follow what I conceive to be the Senate's will as last expressed.

Mr. HANSEN. Mr. President, will the Senator yield on that point?

Mr. MANSFIELD. The Senator is acting perfectly within his rights.

In response to the distinguished Senator from Idaho, I repeat again that the motion I offered is moot, and I do not intend to offer it again at this time.

I yield to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I only wish to say that I have the very strong conviction that if the Senator from Arkansas is to be called upon, as I suspect some Members may seek to try to do, knowing him as I do, but certainly not trying to speak for him, it is my feeling that we ought to have passed in open session, as was suggested by the Senator from Wyoming earlier in the day, a motion relieving him from any inhibition or curtailment that he feels may have been imposed upon him either by law or by custom or tradition.

Mr. MANSFIELD. Mr. President, will the Senator yield there?

Mr. HANSEN. I am happy to.

Mr. MANSFIELD. May I say I strongly believe that—

Mr. HANSEN. I should add relating to Angola alone. That was spelled out in the motion.

Mr. MANSFIELD. It is my very strong opinion, and I would bet my life on it, that there is no Senator on this side of the aisle nor any Senator on that side of the aisle who is going to do to the Senator from Arkansas what the distinguished Senator from Wyoming has suggested because I think the point was made there. His position is clear. He has, in effect, reiterated it once again. I see nothing to be gained but a great deal to be lost by resuming that kind of pressure tactic.

Mr. CLARK. Mr. President, I have pending a motion to table the Griffin amendment. I do wish to press that if there is a time agreement, but I do not wish to—

The ACTING PRESIDENT pro tempore. Does the Senator yield for that?

Mr. MANSFIELD. I did not yield for that purpose. I did yield to the distinguished Senator, but I did have the floor.

The ACTING PRESIDENT pro tempore. The Senator did not yield for that purpose.

Mr. MANSFIELD. I again raise the possibility. Is it possible at some time tomorrow to vote at a time certain on the Javits, Tunney, and Griffin amendments?

Mr. President, I suggest the absence of a quorum, without losing my right to the floor.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, it is my understanding that we have five special orders tomorrow. Whether or not they will all be taken and, if so, the full time will be used, remains to be seen.

The Senate will convene at 9 a.m. tomorrow. At the conclusion of the special orders, the Senate will again go into closed session—I hope for not too long a period of time.

At the conclusion of that closed session, the Senate will then return to open session.

I ask unanimous consent that at that time there be a 40-minute time limitation on the Griffin amendment, the time to be equally divided between the Senator from Michigan, the sponsor of the amendment, and the Senator from California (Mr. TUNNEY) or whomever he may designate; that following that, there be a 40-minute time limitation on the Javits amendment, if it is called up, the time to be equally divided between the Senator from New York (Mr. JAVITS) and

the Senator from Arkansas (Mr. McCLELLAN).

It is anticipated that with a little flexibility, give and take, once those two amendments are out of the way, if they are both offered, it will then be possible to arrive at a reasonable agreement covering the Tunney amendment which, in the meantime, will be modified, I understand, with the \$33 million deleted.

The ACTING PRESIDENT pro tempore. Does the request include a request for a closed session?

Mr. MANSFIELD. Yes. On behalf of the distinguished Senator from Idaho (Mr. McCLELLAN) I will include that in the request.

Mr. JAVITS. Mr. President, will the Senator yield for a clarification?

Mr. MANSFIELD. I yield.

Mr. JAVITS. If the money is eliminated, it will be unnecessary to consider my amendment. My amendment would eliminate the money.

Mr. TUNNEY. Mr. President, it is my understanding that the parliamentary situation is such that that money will have to be deleted by an amendment such as the Senator from New York is going to offer.

Mr. JAVITS. That is correct. I am just informing the majority leader.

Mr. MANSFIELD. That will save 40 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

#### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I hope that all Members who are interested will stay tonight and make as many of their speeches as they can.

I say to the distinguished Senator from Arkansas, "Go home, get a good night's rest, and come back tomorrow."

#### THE TAX BILL

Mr. MANSFIELD. One more thing; I talked to the President this afternoon after the conference report on the tax bill was agreed to, and I asked him if he intended to veto the tax bill. He said, "Yes." I requested that he veto it this afternoon, so that we could consider it as expeditiously as possible, providing, of course, that the House overrode the veto. He said that he did not think he could make it, because he had to wait for the papers, but that if he did not make it this afternoon, he was going to veto it before 10 o'clock tomorrow morning and have the veto up on the Hill.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PERCY. The President has vetoed the bill.

Mr. MANSFIELD. In talking to the Speaker, he indicated to me about a half-hour ago—I did not know that the veto was on the Hill—that he would take it up tomorrow morning, around 10 o'clock, as I recall.

The Senate should be on notice that if the House overrides the President's veto, the Senate, despite these agreements



reached, will undertake to do the same at an appropriate time in the course of the proceedings.

#### ORDER OF BUSINESS

Mr. CURTIS. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I yield.

Mr. CURTIS. What will be the remaining business tonight?

Mr. MANSFIELD. Talk.

Mr. CURTIS. On what—which bill?

Mr. MANSFIELD. The defense appropriation conference report or anything else.

Mr. CURTIS. Will any tax bill be called up tonight?

Mr. MANSFIELD. If the Senator will allow me, I would like to yield to the Senator from North Dakota, the dean of the Republicans, and I hope that the chairman of the committee can be contacted in the meantime, because he was discussing something about that.

Mr. YOUNG. Mr. President, I would like to be recognized for a 3-minute speech.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

The Senate will be in order. Senators who wish to converse will kindly withdraw. Senators will clear the aisles and withdraw to the cloakrooms if they wish to converse. Senators are very close to the cloakroom physically, anyway, and if Senators who are conversing will withdraw the rest of the way to the cloakroom, that will put the Senate in order. Staff members will kindly take their seats.

Will the Senators really close to the cloakroom kindly move 3 feet farther into the cloakroom?

Will the Senators standing in the rear kindly withdraw to the cloakroom or resume their seats?

Mr. YOUNG. Mr. President, the amendment proposed by the distinguished Senator from California (Mr. TUNNEY) and others, would prohibit the use of any money appropriated under this defense appropriations bill to finance CIA operations in Angola.

Our activities in Angola have been very minimal compared with those of Russia. Unlike the Russians, we have no military personnel there. The funds made available to the CIA have only been to provide for weapons and other associated assistance, short of any personnel, to help prevent a takeover of Angola by a minority faction of that country under the control of the Soviets.

This amendment would end all U.S. assistance to Angola except for some minor intelligence-gathering operations. While the United States would be abruptly withdrawing our assistance from Angola under this amendment, Russia would continue their extensive military operations and undoubtedly would take over still another country in Africa within a matter of a very short while.

The proponents of this amendment, particularly the distinguished Senator from California (Mr. TUNNEY) propose that we withhold sales of grain and other farm commodities to Russia,

thereby trying to force them to cease their operations in Angola.

Mr. President, I think the United States would make a serious mistake if we used our food as a weapon of foreign policy. We have had too much of that already. May I remind the Senate that most of the wars fought throughout history have been over food shortages or living space. Sooner or later, using food as a weapon of determining foreign policy would bring us to grief.

A past embargo of soybeans has brought deep resentment from some of our best allies. The more recent embargo on grain to Russia and East European countries has prevented us from replacing dollars we now have to spend to import oil and other purchases. The embargo has had, and is still having, a disastrous affect on our farmers. They were urged to go all out to produce the biggest crop ever to meet our own and foreign needs.

Mr. President, if the Tunney amendment is passed, we would undoubtedly have to immediately withdraw all assistance to Angola. It would be far better to follow the regular reprogramming procedures for further financial assistance to Angola. Under these procedures it is very unlikely that any further assistance will be provided unless there is very strong support for it. Under reprogramming procedures the chairmen and ranking minority members of the Senate Appropriations and Armed Services Committees and their House counterparts would have to give unanimous approval. This means that if even one of these eight committee members dissented, no reprogramming would be possible.

Mr. President, I was disturbed by a statement by a Senator made earlier that \$750 million could be made available for Angola. That is an unreasonable statement. So far, they have only obligated \$24 million. They are asking for \$28 million more under a reprogramming procedure.

Under the established reprogramming procedures, approval of four Members of the Senate and four Members of the House is required. Any one Member can veto a reprogramming request. It is unbelievable that these eight Members of the House and Senate would approve \$750 million or even \$100 million for Angola. So such charges as that, I think, are unreasonable and paint an untrue picture of CIA operations.

It would be far better if the Foreign Relations Committee and other committees which have jurisdiction would have further consultations with the executive branch, and especially the President, the State Department and the CIA, as to the advisability of abruptly ending assistance now.

#### ADDITIONAL STATEMENTS SUBMITTED ON DEPARTMENT OF DEFENSE APPROPRIATIONS, FISCAL YEAR 1976—CONFERENCE REPORT

Mr. MUSKIE. Mr. President, the conference report accompanying the Department of Defense appropriation bill for fiscal year 1976 deserves the support of the Senate, and I am glad to compliment the effort made by our conference colleagues on H.R. 9861. At a time of a mounting Federal deficit and debt, the

conferees have kept the spending level of this largest appropriations bill below the levels previously passed by the Senate and within the national defense totals assumed for this legislation in the second budget resolution.

The fiscal year 1976 DOD appropriations bill, as agreed to in conference, amounts to \$90.5 billion in budget authority and \$64.3 billion in outlays, both being under target in budget authority and in outlays. As chairman of the Committee on the Budget, I welcome these results.

I particularly wish to congratulate the distinguished chairman of the Committee on Appropriations, Mr. McCLELLAN, for his leadership on this measure. At a time of pressing and often conflicting national interests, he has worked to balance fiscal responsibility and national security.

For the past several months, the Senate Budget Committee has carefully considered the national defense function of the Federal budget. Our work has been diligent and serious. Our intentions have been to carry out the mandate of the Congressional Budget Act.

I believe our work has been effective. Perhaps nowhere is this better demonstrated than in the final outcome of the defense appropriation bill for fiscal 1976. The President and his advisers vigorously sought an appropriation too much for defense needs. The Budget Committees in both Houses sought a level which would eliminate unnecessary spending yet maintain essential military programs. In the best tradition of democratic deliberation and debate, the two Appropriations Committees agreed.

In short, Mr. President, I salute Senator McCLELLAN and the other Senate conferees for their attention to detail and their prudence. I shall vote for this conference report.

Mr. MORGAN. Mr. President, the debate now raging may well determine the future course of the foreign policy of this country for years to come. Shall we turn inward as we did in the thirties? The answer is not clear.

I was interested in an editorial appearing in the Charlotte Observer in North Carolina on December 14, 1975. It is especially noteworthy since the editorial policy of this paper has been strongly against American involvement in the affairs of other countries. I ask unanimous consent that it be printed in the Record for the consideration of my colleagues as they search for a decision on this vital issue.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

#### A RED COLONY?—ANGOLA CANNOT BE IGNORED

The Cuban-Soviet invasion of Angola marks a new turn in Communist efforts to replace European powers in colonizing Africa. It also shows just how weak detente is. Can Washington do nothing about this?

The most powerful forces that the United States could reasonably bring to bear are diplomatic and economic. Yet there is no clear evidence that we are applying strong pressure to the Soviet Union, where our leverage should be substantial. Washington may be reluctant to do that because of its



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hopes for progress in the U.S.-Soviet arms limitation talks. If the Soviets feel free to move as flagrantly as they have in Angola, however, they obviously regard detente as a trifle that should not get in the way of their military expansion.

What they evidently want is a Soviet naval base in Angola, on the eastern coast of southern Africa. They also want an Angolan regime they can use to cause trouble for white-controlled South Africa and Rhodesia, as well as black-controlled African governments they dislike. Toward these ends, they have suddenly made a bold move whose seriousness is only now being recognized.

The Portuguese left Angola, their last African colony, on Nov. 11. Fighting among various Angolan independence organizations began immediately. The Soviets and Cubans are helping the Popular Movement for the Liberation of Angola (MPLA), which now has control of the capital, Luanda.

American involvement appears to be limited to indirect and minimal assistance to the combined forces of two other Angolan groups. South Africa, China and Zaire (the former Belgian Congo) also support those groups.

It is clear that the principal intruders have been the Cubans and the Russians. The Cuban force, which has been described by Havana and Moscow as volunteers, instead seems to be a regular army of some 5,000 men. It has been supported by Soviet flights of giant Antonov transport planes, comparable to the American C-5A.

It is, in short, a major invasion force. It has struck so rapidly and with such strength that it threatens to succeed in taking over the country.

Secretary of State Henry Kissinger has warned that the United States cannot "remain indifferent to the foreign intervention in Angola's civil war." Indeed, we cannot. American troops are not the answer. But the situation in Angola should be given top priority in Washington.

We should move to assist the moderate forces fighting in Angola; bring the strongest kind of diplomatic pressure to bear upon Moscow; and make Cuba pay a high price economically for its intervention. We have it within our legitimate power to do all of that.

If the Soviets gain a naval base and a friendly regime in Angola, they will have added appreciably to the advance they have made on the other side of Africa with a naval and missile base in Somalia. This would give them strategic strength along the sea lanes around Africa. The United States cannot watch that take place and believe that detente has any meaning.

Mr. NELSON. It is outrageous that this administration should secretly thrust this Nation into the midst of a civil war in Angola. What kind of arrogance possesses that tiny handful of men in the executive branch who presume the right to involve us in war without consent of the Congress or the people of this Nation and without bothering even to tell us. That abuse of power must be unequivocally repudiated.

Sixty million dollars has already been spent on this mistaken enterprise without a word of debate in the Congress or public dialog of any kind.

These kinds of expenditures and involvements are major issues of public policy and must be settled in a public forum.

This intervention was undertaken contrary to expert advice and opinion in both the State Department and the intelligence community.

# THE RESTORATION OF FUNDING FOR PASTORAL COUNSELING, FAMILY AND CHILD COUNSELING, AND MARRIAGE COUNSELING AND RECOGNITION OF CLINICAL PSYCHOLOGISTS UNDER CHAMPUS IN DOD APPROPRIATIONS BILL

Mr. INOUE. Mr. President, I am very pleased that the final version of the Department of Defense appropriations bill, H.R. 9861, which has been approved by the House-Senate conferees, reaffirms the coverage for the services of pastoral counselors, family and child counselors, and marital counselors and provides for the status of clinical psychologists as independent providers under the CHAMPUS—Civilian Health and Medical Program of the Uniformed Services—program.

The House-passed version of this bill would have prohibited any funding for these vital services and would have subordinated the services of clinical psychologists by making mental health treatment subject to physician supervision. Senator Young and I sponsored an amendment in the Senate Appropriations Committee to restore these counseling services under CHAMPUS. I promoted an amendment which would provide for the independent services of psychologists. Both our amendments were accepted by the committee and affirmed by the full Senate.

The House-Senate conferees basically accepted the Senate version on this point, adding a proviso that these counseling services cannot be paid for under CHAMPUS if available at military medical facilities. This proviso is consistent with the intent and purpose of the CHAMPUS program—which was created to provide medical and health care to military retirees where such care was not readily available at military medical facilities.

The importance of the conferees' decisions is twofold: First, the reaffirmation of the need for the services of pastoral counselors, family and child counselors, and marital counselors under CHAMPUS; and second, recognition by both the House and the Senate of the status of trained psychologists in the field of mental health care.

As I have stated previously, the strength of our armed services rests on its morale. In restoring and affirming these professional services under the CHAMPUS program, the conferees have recognized the unique stress on marriage and family life imposed by military service—and the vital necessity of offering quality care under CHAMPUS to treat these serious problems.

Mr. TUNNEY. Mr. President, before I turn the floor over to several of my distinguished colleagues, there are a few brief comments I would like to make about my reasons for holding up the vote on the defense appropriations bill until the Senate could consider this problem of Angola in secret session.

First, I would like to say that a week ago I found myself confronted with what seemed to be an ever-widening American commitment in Angola, a commitment

which previously I knew little or nothing about. I was seriously disturbed to discover that my country, in the wake of Vietnam, could carry on a covert action thousands of miles from our shores at a cost of \$50 million without the question ever having been considered by the full Congress. My consternation only grew when I was informed by a staff member of the Central Intelligence Agency that while I could be informed by them of what the Russians were doing in Angola, I could not be briefed on what we were doing. I know a great many Members of this body shared my own dismay.

I think that if there is one thing we have learned from our experience in Vietnam it is that this country cannot afford to leave foreign policy decisionmaking to a few grand-global strategists on the 40 committee and policy planning staff of the Department of State. The Congress, if it is to fulfill its responsibilities, must be informed about foreign commitments and about the financing of covert actions. I believe the American people have made their feelings about intervention abundantly clear. We would be remiss if, in the wake of our devastating experience in Asia, we failed to demand a clear and precise accounting of the interests, objectives, and policies which this country is pursuing today in Africa.

Beyond my deep concern over the procedure by which our Angolan policy seemed to evolve, I am terribly troubled by some of the misconceptions upon which our decisions are based. For example, Secretary Kissinger and his policy staff appear to be suffering from a kind of reverse myopia. They see everything as part of a grand global game for influence carried on by the Soviet Union and the United States in which every new Soviet adventure contains in it the seeds of an eventual Communist checkmate of the free world. There is no attempt to place these conflict in the context of the lives and the cultures of the people most directly involved—be they nationalist Vietnamese or tribal Angolans.

Mr. President, this war is no opening gambit in some colossal scheme of Soviet hegemony. Let us see it for what it is—a conflict between three warring factions whose tribal origins and animosities go back decades if not centuries with little or no ideological commitment—or even recognition—on any side.

Take, for instance, the MPLA—the Soviet-backed Popular Movement. They are led by a man whose closest friend and political mentor is Mario Soares—the American-backed Portuguese Socialist leader. According to the Africa experts with whom I have spoken—including several members of the Central Intelligence Agency Africa staff—MPLA opposition to the other groups is more based upon ethnic considerations than political philosophy, and their courtship with the Soviet Union appears to be largely a matter of convenience rather than conviction.

The ethnic connections of the other two factions are just as interesting. The

front for the National Liberation backed, by both the United States and Zaire, is made up largely of members of the Bakongo tribe whose natural rivals make up the majority of the MPLA. The National Front is led, oddly enough, by a man the CIA gave up on years ago as being hopelessly incompetent and who is the brother-in-law of Joseph Mobutu, the President of Zaire who hopes to extend his own influence by proxy into Angola. The Union for the Total Independence of Angola—UNITA—is led by Jonas Savimbi—a man with an Ovambo tribal connection who was formerly foreign minister of the FNLA—but split off accusing that group of “flagrant tribalism.” UNITA is backed by South Africa largely because South Africa is afraid that if the MPLA wins it will allow anti-South African guerrilla groups to use the area now controlled by UNITA for a guerrilla war against South Africa.

This brings me to another crucial misconception. That is, that any victory by the non-Soviet-backed forces could ever hope to erase the tremendous negative impact that will be produced in other black African states by the impression that we are backing the South Africans on this question. The Africans may fear great power interference, but they unquestionably fear South African intervention more.

We must never let this vital point slip from our minds. By appearing to intervene on the side of groups backed by the South Africans we are giving black Africa what amounts to a slap in the face. We are saying to them that “we are not concerned about your fate or your fears. If we have to sign a pact with the devil to stop the Soviets in Angola we are willing to do it.” I ask my colleagues, what will it profit us if we do manage to stop the Russians in Angola and further alienate the rest of Africa in the process?

Perhaps if the Washington policy geniuses would stop for a second to get the reaction of the grassroots experts they could separate the wheat of tribal factionalism from the chaff of rigid cold-war categorization. We have academic experts on Africa talking about this lack of ideological commitment on the part of any of the factions. We have an Assistant Secretary of State Nathaniel Davis resigning, because of the damage he thinks our intervention in Angola will do to our relations with Africa as a whole. This is the man who as Ambassador to Chile ran an entire operation to destabilize a government—yet he remains unconvinced. Finally, we have experts in the Central Intelligence Agency telling me they do not understand the reason for our policy of supplying the FNLA and UNITA, and admitting that in their opinion “the differences in government should the MPLA win would be minimal.” According to them, the pro-Soviet policy in an MPLA government would be muted the way it was in Mozambique as control of the country was really secured. Do we want to alienate all of Africa—and particularly a country as close and important as Nigeria—for “minimal differences in government?” I think not.

I want to emphasize here that we all share the concern over the willingness of

the Soviet Union and Cuba to intervene in Angola. But let us put that intervention in perspective. Let us make it very clear to the Soviets and the Cubans that we view their meddling as inconsistent with détente. Let us tell them clearly that if they want American technology and investment, if they want American grain, then they had better seriously reconsider the advisability of their current strategy in Africa.

Then, let us immediately sit down with our friends in Africa—which we should have done long ago anyway—with Nigeria, and Zaire, and Ethiopia and others and try to work something out within the framework of the Organization of African Unity to get all foreign powers out of Angola. I was told yesterday by someone in the administration that an American Secretary of State had never been to Africa. Maybe now is the time.

Finally, I would like to point out that while we do not know definitely that there are funds for Angola earmarked in this bill—and while we hope that this secret session will resolve some of these questions—it is important now to put the Senate clearly on record as opposing a precipitate involvement in Angola without close and careful congressional consideration. While funds may not be earmarked specifically here, it seems clear that there is enough authority contained in the bill to provide funds either from existing contingency accounts or under general transfer authority. I would only refer my colleagues to section 733 of the bill which grants to the Secretary of Defense the authority to transfer up to \$750 million between categories in the bill for “higher priority items”—provided those items have not been proscribed by Congress.

I want to make it very clear that as long as our information is limited, as long as we are not absolutely sure that none of the money in this bill will filter down to Angola or for the use of Angola, it is vitally important that we close the gap of doubt.

In conclusion, I think this vote on my amendment which will come up following the vote on the conference report itself will be a testimony to either the determination of the Senate to assert its rightful role in insuring the careful consideration of our foreign involvements, or our own failure to learn from our past mistakes in a way the American people have clearly demanded.

I hope the current debate can help us meet those obligations. I hope, too, that it can be done in a way that will not preclude a full and frank public discussion of the issues.

#### SENATE RESOLUTION 333—SUBMISSION OF A RESOLUTION RELATING TO ANGOLA

Mr. STEVENSON. Mr. President, I send a resolution to the desk on behalf of myself, Senator HUMPHREY, Senator ROBERT C. BYRD of West Virginia, and also, Senator MUSKIE.

The ACTING PRESIDENT pro tempore. The clerk will state the resolution.

The second assistant legislative clerk proceeded to read the resolution.

Mr. STEVENSON. Mr. President, I ask unanimous consent that further reading of the resolution be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution is as follows:

S. Res. 333

Whereas outside powers are intervening in the conflict between rival factions in newly independent Angola;

Whereas such foreign intervention causes a higher level of violence, a tragic loss of life, and more prolonged conflict;

Whereas the peoples of Angola should be permitted to resolve their conflicts without outside interference; and

Whereas it is morally wrong and politically imprudent for the United States to ignore such intervention and the pursuit of strategic interests by foreign countries in Angola: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the President of the United States should call upon all nations to withhold support from any of the factions in Angola engaged in military conflict;

(2) the President of the United States should instruct the United States Permanent Representative to the United Nations Security Council to introduce a resolution condemning all intervention in the civil conflict in Angola;

(3) the President should urge the Organization of African Unity to make a renewed effort to assist the opposing factions in Angola to compose their differences and establish stable democratically based government in Angola, and should pledge the support of the United States in this effort;

(4) the President, pursuant to his authority under the Export Administration Act of 1969, should curtail exports to countries which persist in intervening in the conflict of Angola;

(5) the President should seek the cooperation of other nations in imposing economic sanctions against those countries which persist in intervening in the conflict in Angola; and

(6) the President should suspend further assistance to any faction in Angola pending efforts to seek an end to all foreign intervention in Angola.

The ACTING PRESIDENT pro tempore. The Senate will be in order. The Senator will not proceed until the Senate is in order.

Mr. McCLURE. Will the Senator from Illinois yield for a question?

Mr. STEVENSON. Yes, I will yield for that purpose.

Mr. McCLURE. Is it the purpose of the Senator from Illinois to ask for immediate consideration of this resolution and its adoption?

Mr. STEVENSON. Yes, it is the intention of the Senator to do that.

Mr. President, Vietnam, the CIA, the Union of South Africa, national experiences in recent years, the association with unlikely bedfellows—all make objectivity about Angola difficult. We do not have all of the facts, and we certainly do not have sufficient time with which to adequately debate U.S. interests in Angola. This debate has generated far more heat than light.

In these circumstances, prudence dictates a discrete way out of this imbroglio and, if it is possible, some action by the Senate to serve the interests of the American people and those of this newly independent nation in Africa.

Such facts as we do have indicate the

Soviet Union is testing détente, probing the disarray and weakness in the West to pursue obscure strategic objectives. The Soviet Union is pressing us to the limit—and we have defined no limit. Indeed, the Soviet Union, détente, the relationship between the superpowers have been scarcely discussed.

Soviet activities in sub-Sahara Africa have not met with unmixed success—but they now reach into Zambia, Tanzania, Nigeria, Somalia, Ethiopia, Benin, Central African Republic, Upper Volta, Burundi, Mali, and Guinea and elsewhere. Now the Soviet Union is playing for high stakes with a major effort to install a regime of its own making in Angola. One question is whether by continued acquiescence, or an apparent indifference, the United States invites further Soviet transgressions against U.S. strategic interests in the world and against the rights of other people to conduct their own affairs. The largest question is the Soviet Union—not Angola.

Mr. President, I would be the last to minimize U.S. interest in the Third World or the historical imperatives of nationalism and self-determination which the United States sought to arrest in Southeast Asia—and which the Soviet Union is seeking to arrest in Africa. The warring tribal factions in Angola all claim the mantle of national liberation, and who can say their claims are not equal? One is backed, massively, by the Soviet Union and Cuba. That faction will succeed by force unless other factions are given some arms and money. Recognizing those facts and the implications for developed and undeveloped nations alike, the FNLA and UNITA are supported by the United States, the Union of South Africa, Zaire, and to some extent, the People's Republic of China and North Korea. In such circumstances, it should not be said of the United States that by aiding one faction in Angola, it maintains a hostile, neocolonialist presence. These nations aiding the FNLA and UNITA have a shared concern about the methods and motives of the Soviet Union in Angola and the world.

The United States, at least, is committed to the principle of self-determination. Ironically, the cessation of U.S. aid for a nationalist alliance in Angola could invite the apartheid Union of South Africa deeper into Angola. Certainly an unconditional act of withdrawal by the United States would cause greater doubts in Peking and in the capitals of our allies about U.S. resolve in the face of aggression and steadfastness in support of friends. With limited U.S. aid, not to include U.S. personnel, the Union of South Africa would probably leave Angola. While the reaction to U.S. aid would not be uniformly unfavorable in the third world, it would be, as it already is, mixed and in some places, as in Zaire, highly favorable.

Mr. President, I share all of the reservations which have been eloquently expressed today about the dangers of U.S. assistance for any party to this civil conflict. I am also deeply concerned about the consequence of a U.S. failure to heed Soviet intervention in Angola and the pleas of the Soviet Union's victims. And that brings me to the pro-

posal by the Senator from California which, in my judgment, offers the Senate a no-win proposition. If approved, it will be perceived as sanctioning by acquiescence Soviet intervention in Angola. If it is not approved, it will be perceived as sanctioning U.S. intervention. Some Members, myself included, do not want the Senate to take either course.

So, Mr. President, I probably will vote against the Tunney amendment. I do not want to vote for an amendment which terminates all support for the anti-Soviet side in Angola without any alternative response to this Soviet challenge. Have we been so traumatized by the tragic American adventure in Vietnam that henceforth we are to accept Soviet military arrogance wherever it shows its head?

Mr. President, this debate has skirted the central fact and the central issue: Soviet arms on a massive scale and a Cuban expeditionary force have landed on the shores of a newly independent African state in naked pursuit of strategic advantage.

What does détente mean, anyway? Certainly not the same to us as to the Soviet Union. If détente is to mean anything for the United States, it must be a two-way street. If the Soviet Union is to enjoy the benefits to trade in commodities which are valuable to the improvement of its standard of living, and other advantages of détente, then it must also meet certain standards of civilized international behavior.

The implausibility of continued U.S. aid to the Soviet Union in the form of technology, capital and wheat, irrespective of its conduct in the world, is brought inescapably to the attention of the Senate. The United States has just committed supplies of grain to the Soviet Union for 6 years—notwithstanding its transgressions in Angola or anywhere else. The agreement cannot mean what it says on its face. All such agreements are subject to abrogation or modification by one party if conditions are changed materially by another. The Soviet Union is relieving the United States of any obligations under that agreement—and I say “any” because it is of arguable legality anyway.

The resolution which we offer urges upon the President a course of action which emphatically rejects the Soviet exploitation of détente at the expense of U.S. interests and the rights of people in other nations—without exposing the United States unnecessarily to the risks of a long and ultimately unsuccessful involvement in Angola.

It makes it clear, and in the most emphatic terms, that the United States does not approve Soviet intervention in Angola. It proposes steps to create a climate in which the warring factions in that country can compose their differences without external interference. It charts a course that could accomplish U.S. objectives in Angola. And if the Tunney amendment is disapproved, it will make it plain that diplomatic steps, including sanctions, should be taken before the United States starts once again down the slippery slope of military involvement in a distant part of the world.

So, Mr. President, I introduce this

resolution with the distinguished Senators from Minnesota, West Virginia, and Maine, which calls upon the President to undertake a multilateral effort to induce all outside powers to withdraw support from the warring factions in Angola and, at the same time, to exercise his authority to control exports to countries which persist in providing such support.

More specifically, Mr. President, this resolution calls upon the President to call, in turn, upon all nations to withhold support from any of the factions in Angola engaged in military conflicts. It calls upon the President of the United States to instruct the U.S. Permanent Representative at the United Nations Security Council to introduce a resolution condemning all intervention in the civil conflict in Angola. It calls on the President to urge the Organization of African Unity to make a renewed effort to assist the opposing factions in Angola to compose their differences and establish stable, democratically based government in Angola, and pledge the support of the United States in that effort.

This resolution calls upon the President, also—

The ACTING PRESIDENT pro tempore. The Senator will suspend. Will the Senators and the staff in the rear of the Chamber retire to the rear to carry on their conferences—or better still, to the cloakrooms? That would assist the Senator greatly. The Chair appreciates that.

The Senator from Illinois is recognized.

Mr. STEVENSON. Mr. President, the resolution calls upon the President, pursuant to his authority under the Export Administration Act of 1969, to curtail exports to countries which persist in intervening in the conflict in Angola.

It also suggests, as the sense of the Senate, that the President should seek the cooperation of other nations in imposing economic sanctions against those countries which persist in intervening in the conflict in Angola, and suggests, further, that the President should suspend further assistance to any faction in Angola pending efforts to seek an end to all foreign intervention in that country.

#### NO AID TO ANGOLA

Mr. MUSKIE. Mr. President, I stand in support of the Stevenson resolution expressing the sense of the Senate to suspend U.S. support to the warring factions in Angola and by economic leverage to persuade the Soviet Union to adhere to this same principle.

Fighting among indigenous factions in Angola has intensified in recent days and both the Soviet Union and the United States are involved. Such a situation deeply concerns me.

This state of affairs is troubling for several reasons, mainly what it tells us about the intentions of the Soviet Union. Today, Moscow is pursuing an interventionist policy in Angola, increasing the anguish of that southern African state and escalating tensions between the nuclear superpowers at that very time when Washington and Moscow are supposedly trying to work out between them the confrontation strains of the past.

The lessening of tensions or détente between the United States and the

Soviet Union, if it is going to work at all and reach a level of success, must be a two-way street. Yet, the kind of aggression and expansionism on the part of the Soviet Union in Angola suggests less than a complete commitment by the Kremlin to pursue détente seriously.

Indeed, Soviet military intervention in the internal affairs of Angola is a serious erosion of Russian credibility in the United States-Soviet quest for better relations. Such hostile behavior not only erodes the spirit of détente, but also the practical possibilities of working out a mutually beneficial relationship.

Détente was never an easy policy to pursue; it is a challenge by both sides in statesmanship. But due to the Soviet escalation of the Angolan civil war, the U.S. Senate and the country as a whole should now take a new look at the current course of accommodation and co-operation on the part of the United States.

Critical and crucial stakes are involved here. Why are the Russians risking these stakes? In a year the Soviet Union is facing serious shortages in her harvest, the country requires massive importation of American grain. This will probably be true for the next several years. As the international energy crisis continues, the Soviet Union could potentially export great quantities of oil and gas, especially to western Europe and North America. These markets could now become less open to Russian commodity exports as well as manufactured goods. Western technology is greatly desired by the Soviets in order to advance its 5-year economic plans, but American experts and sophisticated electronic products, for instance, will continue to stay outside of the Soviet Union if détente does not progress. If the Russians are prepared to make a mockery of the détente relationship, then, as the Stevenson resolution proposes, let them lose some of the material advantages of détente. For instance, the President, pursuant to his authority under the 1969 Export Administration Act, could curtail exports to countries like the Soviet Union, which persist in intervening in the Angolan conflict.

Then, too, the heart of détente is the SALT II negotiations with its potential agreements on the further control of nuclear weapons. This is an essential element to the whole relationship and, as I understand it, to the future standing of the present political leadership in Moscow. The question of stabilizing European affairs, such as MBFR negotiations, and implementing the spirit of the Helsinki agreement are involved, as are potential Soviet-American projects in Third World economic development activities, in the joint exploration and exploitation of the oceans and space for the well-being of all mankind, and in common ventures to bring peace to the Middle East.

It is incredible the Soviets would risk losing these potential avenues of international cooperation and benefit unless they were never willing to fulfill the responsibilities required by détente in the first place. Perhaps they were only interested in playing an unrestrained, mis-

chievous role in faraway areas of the world.

Moscow's relations with the new nations of black Africa are not very close; only in Somalia is Soviet influence great. It has never had outright control in any African country. Perhaps the prospect of such domination motivates the men of Moscow to bolster the Popular Movement for the Liberation of Angola—MPLA, one of the three contending Angolan parties. Russian manpower, materiel, and money are now abundant in the savage fighting. There are an estimated 5,000 Cuban specialists and combat troops supporting the MPLA's operations. Soviet military advisers are on the ground, intelligence reports are unsure if they are actually involved in combat operations.

What is the U.S. interest in Angola? There is no overriding U.S. interest in this new nation which only received its independence from Portugal last month. Our security and economy will not be affected by whatever political philosophy is at the foundation of its government. It is my hope that the United States and Angola can construct a relationship that benefits both peoples. However, beyond American involvement in Angola's economic and developmental affairs, openly agreed to, we have no other interest. We should never have gotten involved to the extent we have. We know that a minimum of \$50 million is being spent by the United States covertly to support the anti-MPLA factions with rifles, machine guns, vehicles, ammunition, and logistics. The Ford administration wants more money. Will they soon want military advisers?

I oppose any further escalation of U.S. military involvement, covert or overt. America's tragic intervention in the Vietnam civil war should be a clear enough warning to our policy makers.

The current tribal conflict in Angola dates back more than several decades. Ethnic, racial, class, regional, and ideological differences divide the three nationalist movements. In addition, an intense distrust and personal animosity exist among the movements' leaders. The MPLA, the Nationalist Front for the Liberation of Angola—FNLA, and the Nationalist Union for the Total Independence of Angola—UNITA—draw most of their supporters from one of three major ethno-linguistic regions. During the many years of armed struggle against Portuguese colonialism, Angolan nationalists were unable or unwilling to form a common front.

This historical conflict and the present triangular tribal warfare should be left to the peoples of Angola to work out. Foreign governments and foreign mercenaries can only increase the bloodshed and keep the people apart. Certainly all great powers, especially white ones, should lay off. As long as the Soviet Union and the United States, in conjunction with dozens of secondary powers like Communist Cuba, the repugnant white racist regime of South Africa, Zaire, Zambia, and others, pursue policies of unilateral intervention instead of multilateral reconciliation, any hope for

peace in Angola remains dim. All diplomatic efforts need to be centered on the Organization of African Unity which has the best chance to negotiate a settlement. The Council of Ministers of the OAU will meet very soon in Addis Ababa to consider the Angolan crisis. Both the United States and the Soviet Union should be placing maximum efforts behind the activities of the OAU and its African leaders in the political pursuit toward peace so badly needed now in Angola.

I hope this message is heard loud and clear in Moscow: There is a self-defeating quality to any power-grab in places like Vietnam, Cambodia, and Angola. The wisest policy for the United States is to stay out of the Angolan conflict. I oppose any aid to Angola. The perils outweigh the rewards.

The wisest policy for the Soviet Union vis-a-vis the United States is to get out of Angola, too, if the bigger stakes—mutual cooperation between our two countries—are of any value to them. Otherwise, the Russian bear may have gained a South Atlantic outpost they cannot hold for long but lost a relationship with America, the benefits from which they may never regain.

Mr. President, not only has the debate skirted that central fact but Soviet intervention in Angola and that central question of the meaning of détente. But the amendments proposed by the Senator from California (Mr. TUNNEY) and the Senator from Michigan (Mr. GRIFFIN) are unresponsive to those central issues.

In the case of the amendment offered by the Senator from California—

The ACTING PRESIDENT pro tempore. The Chair reluctantly requests the Senator from Illinois to suspend momentarily.

Will the Senators conferring kindly withdraw to the cloakrooms.

The Senator from Illinois.

Mr. STEVENSON. If the amendment offered by the Senator from California is adopted, it will end U.S. intervention in Angola. If that amendment, Mr. President, is not adopted, it will be interpreted, however wrongly, as a sanction by the United States of Soviet intervention in Angola. Neither is responsive to either of these issues. Both, in my judgment, should be withdrawn.

I might add, Mr. President, this is no way to conduct the foreign policy of the United States. The Senator from Ohio was absolutely right. We do not have all the facts, and even if we had the facts, we would not have the time to debate them and to make a sensible decision about our interests in Angola and how best to pursue them.

What is more, Mr. President, the Senate is in some danger of acting with emotion rather than reason, reacting to Vietnam rather than Angola.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. STEVENSON. Yes; I yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I want to commend the Senator from Illinois for this resolution. I think it is the first thing that has made any sense in a long day.

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While it may shock the Senator from Illinois to find the Senator from Arizona agreeing with him, I do. I think this resolution comes at a proper time. I am particularly interested in paragraph 4 when he urged the President to use his authority under the Export Administration Act of 1969 to curtail exports to countries which persist in intervening in Angola.

I might say we have never, as a Nation, used the instruments of national policy that we have available to us, instruments that are short of the instrument of war itself, and the one instrument we have had in which we dominated the world was the economic instrument, but we have never in my memory used that instrument, particularly during the times when we were the world's No. 1 economic power which, if we are any longer, it is only by a slim margin.

I am thinking particularly of the need of the Soviet Union for wheat, a desperate need for wheat, and we have that wheat. We seem to break our backs trying to get that wheat to the Soviets without any concession on her part as to what she might do to help us.

I think in a case such as the Senator from Illinois has discussed in his resolution that the President could use this authority given to him, and I think all Americans would back him in using this power, to extract from the Soviets or extract from any country that is causing conflict in Angola or other parts of the world an agreement that they would desist and stop this help.

I just want to again commend the Senator from Illinois, and if he does not think it would be detrimental to his interests at home or here, I ask unanimous consent, if he agrees, to have my name included, along with Senator HUMPHREY and Senator STEVENSON, as a cosponsor, and I will ask the forgiveness of my saints in heaven. [Laughter.]

Mr. STEVENSON. Mr. President, I hope that does not require the forgiveness of the saints in heaven. I am delighted and pleased by the Senator's comments, and I hope it does not shock him to find me agreeing with him and, what is more, agreeing to the extent that I probably will vote against the amendment offered by the Senator from California and for the reasons suggested by the Senator from Arizona, namely, that the United States should not deprive itself of any weapons with which to pursue any legitimate foreign policy objectives.

The ACTING PRESIDENT pro tempore. Without objection, the Senator from Arizona is included as a cosponsor.

Mr. ROBERT C. BYRD. Mr. President, will the Senator include my name also?

Mr. STEVENSON. If the Senator will withhold for one moment, I respond further to the remarks of the Senator from Arizona about questioning the suggestion that food is and should be used as a weapon. I would put the proposition slightly differently and suggest that the United States loses its authority, loses its credibility in the world, when, on the one hand, it seeks to oppose Soviet intervention in Angola with aid to tribal factions in that country and, on the other

hand, aids the intervenor with not only food but also with capital and with technology and noncommercial measures which we could go into but will not.

The United States has just entered into a 6-year agreement for the supply of food to the Soviet Union and, on the face of that agreement, the commitment of the United States is unconditional.

The commitment is good notwithstanding the behavior and conduct of the Soviet Union in Angola or any other part of the world or on any issue whether it is emigration, mutual and balanced force reduction in Europe, or SALT or you name it.

One of the concerns of the Senator from Illinois is that détente is a legitimate objective of the United States, if by détente we mean relaxation of tensions. But the pursuit of détente by such methods, a 6-year commitment, unconditional agreement, transfers of technology, in a year and a half a billion in subsidized credits to the Soviet Union, will produce the reverse of détente. It produces tension, confrontation, and is doing so today in Angola.

So it is not simply a matter of using food as a weapon. My own opinion is that it is very largely a question of stopping the pursuit of a legitimate objective by counterproductive methods; and, in the case of food or any other form of assistance for the Soviet Union conditioning that assistance upon a continuing and a periodic evaluation of that country's conduct in the world, and that conduct in that part of the world, Angola, is not, in the judgment of the Senator from Illinois, justified at the present time with a commitment of food or of other exports to the Soviet Union for the benefit of that country.

So I thank the Senator for his comments.

I ask unanimous consent, Mr. President, to add the present occupant of the Chair, the Senator from Florida, as a cosponsor of this resolution.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, will the Senator yield for just a moment?

Mr. STEVENSON. Yes.

Mr. GOLDWATER. I am in agreement, further agreement, with the Senator from Illinois, especially in his understanding of the word "détente."

I have begged the Secretary of State on three different occasions to go on television in this country to explain to the American people what he looks on détente as being because I do not believe the average American understands what the Secretary is trying to do with this term.

I would like to think that his understanding is the same as that of the Senator from Illinois. Détente is merely "you have something I want and I have something you want. Can't we get together and have an understanding," and from time to time we will get over it. Maybe I am a bit harsh in including food in economic warfare, but it is a very effective weapon. War is far worse and, with the proper use of the weapons we have had available, political, economic, and so forth, I believe war can be

avoided. I believe war can be avoided, along with power for as long as we care to do it.

I am glad again the Senator has introduced this resolution. I am glad he made the comments he has made, and I think it will provide very interesting reading to those who follow the Record.

Mr. STEVENSON. I thank the Senator.

We have our agreements, but not about the necessities for power, but I certainly agree with his comments.

Mr. President, I ask unanimous consent for the immediate consideration of this resolution.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. ROBERT C. BYRD. Mr. President, did the Senator add my name as I asked him to?

Mr. STEVENSON. I did and I am grateful to the Senator.

Mr. ROBERT C. BYRD. I thank the Senator.

The ACTING PRESIDENT pro tempore. On the immediate consideration of the resolution—

Mr. MANSFIELD addressed the Chair. The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent—

The ACTING PRESIDENT pro tempore. There is a pending unanimous-consent request by the Senator from Illinois.

Mr. MANSFIELD. Fine.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. PACKWOOD. What is that request?

The ACTING PRESIDENT pro tempore. To the immediate consideration of the Senator's resolution.

Mr. PACKWOOD. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

It will go over under the rule.

The Senator from Montana.

Mr. MANSFIELD. Mr. President, I am sorry there was objection to an amendment of this nature which has such disparate and different sponsors as the Senator from Illinois and the Senator from Arizona, as well as others, but I would suggest that in view of the objection raised that the distinguished Senator ask unanimous consent that it be placed on the calendar.

Mr. STEVENSON. Mr. President, I so request.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. GOLDWATER. Reserving the right to object—I might implore our friend, if he would reconsider, we do not have much time left to get such a resolution up before this—

Mr. PACKWOOD. I understand that. I regard it as very significant.

I will say to the Senator from Illinois, it was so significant that I do not want to take it up tonight and have it passed just by voice vote.

I think I am with him, but to do something of this magnitude at this hour of the night, we talk about persistent intervening, I do not know if that means South Africa or a variety of countries. I



am just not prepared on this short notice to take up a matter of this magnitude.

The ACTING PRESIDENT pro tempore. Is there objection to placing it on the calendar?

Without objection, it is so ordered.

#### ORDER FOR NOMINATIONS TO BE RETAINED IN THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all nominations sent down by the President prior to the ending of the first session of the 94th Congress be retained in the Senate and not sent back to the White House because of the 30-day interregnum which may exist between the first and second session, with the exception of the nominations which are or will be before the Committee on Labor and Public Welfare.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. GOLDWATER. Again reserving the right to object—and I will not object—the Armed Services Committee is meeting tomorrow morning at 9:30 to consider a number of nominations that are very important. I wonder if the majority leader would abide by his request that these will be held over until after the first of the year?

Mr. MANSFIELD. All those which the President sent down before the Congress adjourns sine die, the end of the 1st session of the 94th Congress, will remain down here with the exception of the nominations now in, or may be in the Committee on Labor and Public Welfare.

In other words, an agreement to this unanimous-consent suggestion prevents the usual return of nominations during which a 30-day lapse occurs.

Mr. GOLDWATER. But if the Armed Services Committee tomorrow voted out the appointments we had to consider, would there be a chance of having them considered before the end of this session?

Mr. MANSFIELD. If there is no objection, if there are no holds, but if there are any holds they will have to wait until the beginning of the session, but they will be available rather than being sent down again.

Mr. GOLDWATER. I thank the Senator.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. MANSFIELD. I yield to the Senator.

Mr. ROBERT C. BYRD. May we have order, Mr. President?

The ACTING PRESIDENT pro tempore. The Chair asks the Senator from Montana, is it the purpose of the unanimous-consent request of the Senator that nominations be kept alive irrespective of the sine die adjournment?

Mr. MANSFIELD. That was the purpose, rather than be sent back to the White House, to be sent down again and the process started out.

The ACTING PRESIDENT pro tempore. The Chair thanks the Senator.

Mr. MANSFIELD. Will the distinguished Republican leader yield to me?

Mr. ROBERT C. BYRD. Mr. President, I will yield to the Senator.

#### SENATOR STONE COMPLETES 200TH HOUR AS PRESIDING OFFICER OF THE SENATE

Mr. MANSFIELD. Mr. President, the distinguished Senator from Florida now presiding over this body has just completed his 200th hour as the Presiding Officer of the Senate during this session.

We are making all kinds of records this year. I am not sure all of them are good, though this record is a good one, because I believe that the record will indicate, as I tried to state on yesterday, that we have been in session more hours than in any other session up to date, that we have eclipsed the old record for rollcall votes, as the distinguished assistant Democratic leader brought out a couple of days ago.

But I am not too proud about the long hours spent in this Chamber. I think there are too many, too long.

I am not too happy about the voting record. I think we could do with less voting and save more time.

But I am extremely happy about the record just established by the distinguished Senator from Florida who, incidentally, during the course of the closed meeting of the Senate this morning for a period of 3 hours conducted himself with aplomb, dignity, integrity, and a knowledge and understanding which I think surprised his colleagues, though it did not surprise me.

So all honor to the Senator from Florida who has proved himself to be an outstanding Senator, who believes in sunshine, who avoids closed meetings—except the one today, we got him there—and who has performed quite nobly.

Mr. McCLURE. Will the majority leader yield to me?

Mr. MANSFIELD. Yes, indeed.

Mr. McCLURE. I would like to join in the remarks that have just been made in commendation to the Senator who now occupies the Chair.

It is not only the number of hours he spent in the Chair, but the manner in which he has conducted himself and the business of the Senate while he has been there.

I think it would be fair to say that on behalf of all the Members of the Senate, and certainly the Members of the minority, that the Senator from Florida has certainly grown in the esteem and the affection of every Member of the Senate and every one of us would like to join in the commendation that have been expressed by the majority leader.

Mr. JAVITS. Will the Senator yield to me?

Mr. MANSFIELD. Yes.

Mr. JAVITS. Just to associate myself with those remarks and to add, he is a great beginner.

Mr. ROBERT C. BYRD. Mr. President, I share the views that have been expressed so ably by the distinguished majority leader, the distinguished Senator from Idaho, and the distinguished Senator from New York about the Senator from Florida who now presides over the Senate.

He is a man whose heart is as stout as the Irish oak and as pure as the lakes of Killarney.

The ACTING PRESIDENT pro tempore. The Chair wishes to thank each of the Senators for their very kind remarks. The Chair is deeply gratified.

#### HOUSE JOINT RESOLUTION 749—PROVIDING FOR THE BEGINNING OF THE SECOND SESSION OF 94TH CONGRESS

Mr. ROBERT C. BYRD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on House Joint Resolution 749.

The ACTING PRESIDENT pro tempore. The joint resolution will be stated by title.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 749) to provide for the beginning of the second session of the 94th Congress and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. ROBERT C. BYRD. Mr. President, I ask for the immediate consideration of the amendment at the desk.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 2, line 3, change the period to a comma and insert the following: "and (c) notwithstanding the provisions of clause (3) of section 5(b) of such Act (15 U.S.C. 1024(b)), the Joint Economic Committee shall file its report on the President's 1976 Economic Report with the Senate and the House of Representatives not later than March 19, 1976."

Sec. 3. That prior to the convening of the second regular session of the Ninety-fourth Congress on January 19, 1976, as provided in section one of this resolution, Congress shall reconvene at 12 o'clock meridian on the second day after its Members are notified in accordance with section four of this resolution.

Sec. 4. The Speaker of the House of Representatives and the President pro tempore of the Senate shall notify the Members of the House and the Senate, respectively, to reconvene whenever in their opinion the public interest shall warrant it or whenever the majority leader of the House and the majority leader of the Senate, acting jointly, or the minority leader of the House and the minority leader of the Senate, acting jointly, file a written request with the Clerk of the House and the Secretary of the Senate that the Congress reconvene for the consideration of legislation."

Mr. ROBERT C. BYRD. Mr. President, I move the adoption of the amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The joint resolution is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the joint resolution.

The amendment was ordered to be engrossed and the joint resolution to be read the third time.

December 17, 1975

The joint resolution was read the third time.

The ACTING PRESIDENT pro tempore. The joint resolution having been read a third time, the question is, Shall it pass?

The joint resolution (H.J. Res. 749), as amended, was passed.

#### ORDER TO POSTPONE INDEFINITELY SENATE JOINT RESOLUTION 153 AND SENATE CONCURRENT RESOLUTION 74

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the resolution, Senate Joint Resolution 153, be postponed indefinitely, and that the same request is made for Senate Concurrent Resolution 74.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### AMENDMENT OF THE NATIONAL READING IMPROVEMENT PROGRAM

Mr. ROBERT C. BYRD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 8304, and that the bill be considered as having been read twice.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (H.R. 8304) to amend the National Reading Improvement Program to provide more flexibility in the types of projects which can be funded, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was considered to have been read the second time by title.

Mr. ROBERT C. BYRD. Mr. President, I call up an amendment which is at the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered.

The amendment is as follows:

On page 1, line 4, insert "(a)" after "Section 1."

On page 1, lines 9 and 10, insert after the word "paragraph" the following: "during the fiscal year 1976 and the period beginning July 1, 1976 through September 30, 1976."

On page 2, line 12, strike out "any" and insert in lieu thereof "the".

On page 2, line 13, after "year" insert the following: "1976, and, for the period from July 1, 1976 through September 30, 1976."

On page 2, between lines 13 and 14, insert the following:

(b) (1) Part C of such Act is amended by adding after section 723 the following new section:

"STATE LEADERSHIP AND TRAINING PROJECTS  
"Sec. 724. The Commissioner is authorized to enter into agreements pursuant to this

section with State educational agencies for the carrying out by such agencies of leadership and training activities designed to prepare personnel throughout the State to conduct projects which have been demonstrated in that State or other States to be effective in overcoming reading deficiencies. The activities authorized by this section shall be limited to—

"(1) assessments of need, including personnel needs, relating to reading problems in the State,

"(2) inservice training for local reading program administrators and instructional personnel, and

"(3) provision of technical assistance and dissemination of information to local educational agencies and other appropriate non-profit agencies."

(2) The amendment made by paragraph (1) of this subsection shall take effect on October 1, 1976.

(3) Section 705 (a) (3) of the Education Amendments of 1974 as added by subsection (a) of this section is repealed effective September 30, 1976.

(c) Section 732 of such Act is amended by adding at the end thereof the following new subsection:

"(e) There are authorized to be appropriated to carry out the provisions of section 724, relating to State leadership and training projects, \$6,400,000 each for the fiscal year ending September 30, 1977, and for the succeeding fiscal year."

On page 3, line 20 and 21, strike out "per centum" and insert in lieu thereof "percentum".

On page 4, between lines 7 and 8, insert the following:

#### NATIONAL IMPACT READING PROGRAMS

On page 4, line 8, insert "(a)" after "Section 6."

On page 4, line 9, strike out "section 723" and insert in lieu thereof "section 724".

On page 4, line 11, strike out "Sec. 724." and insert in lieu thereof "Sec. 725."

On page 4, line 20, strike out the word "any" and insert in lieu thereof "the".

On page 4, line 21, after "year" insert the following: "1976, and for the period from July 1, 1976 through September 30, 1976."

On page 4, between lines 21 and 22, insert the following:

(b) (1) Section 725 of the Education Amendments of 1974 as added by subsection (a) of this section is amended by striking out "(a)" after the section designation and by striking out subsection (b) of such section.

(2) The amendment made by paragraph (1) of this subsection shall take effect on September 30, 1976.

(c) Section 732 of such Act is amended by adding at the end thereof the following new subsection:

"(f) There are authorized to be appropriated to carry out the provisions of section 725, relating to national impact reading programs, \$800,000 each for the fiscal year ending September 30, 1977 and for the succeeding fiscal year."

On page 5, line 19, strike out "Sec. 725." and insert in lieu thereof "Sec. 726."

On page 8, line 6, strike out "(e)" and insert in lieu thereof "(g)".

On page 8, line 7, strike out "section 725" and insert in lieu thereof "section 726".

On page 8, line 14, strike out "section 725" and insert in lieu thereof "section 726".

On page 8, lines 15 and 16, strike out "section 725" and insert in lieu thereof "section 726".

On page 8, after line 16, insert the following:

#### SPECIAL EMPHASIS PROJECTS

Sec. 10. Section 721(b)(1) of such Act is amended by inserting "and (c)" after "section 705(b)".

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BEALL. Mr. President, I rise to urge the enactment of H.R. 8304. This measure provides that a number of amendments to the national reading improvement program, which was enacted in 1974 as part of the education amendments of that year. I was pleased to coauthor this program with Senator EAGLETON and believe that it is one of the most promising education programs that we have.

The bill before the Senate today makes two important changes in the 1974 program.

First, it makes clear that the reading programs funded under the discretionary right-to-read program, which preceded the national reading improvement program, will continue. It was never the intent of Senator EAGLETON or me that the ongoing right-to-read efforts be terminated with the enactment of the bill. The right-to-read effort program. Indeed, in the Senate-passed bill, the right-to-read effort was clearly continued. The right-to-read effort provides grants to the States for leadership and training programs and also for certain national impact programs. The 1974 conference committee authorized a State grant approach but provided that the State grant program would not become operative until the funding level exceeded \$30 million. With the appropriation level only \$17 million, the State-level grant programs are in jeopardy unless the Congress acts. Thus, this clarification will mean that the State grants, such as received by Maryland, will be able to continue.

In my State, the right-to-read program has given emphasis to and impetus for reading efforts. Maryland is developing standards for evaluating both system and school reading programs, developing leadership through seminars for supervisors and principals, and reviewing reading material.

The second major amendment would authorize a new reading motivation program under which local community agencies will contribute inexpensive books to school children. The bill makes available Federal matching assistance of 50 percent of the cost of conducting reading motivational programs by local sponsors of such programs. A 3-year, \$22 million program is provided and if fully funded, it is estimated that an additional 21 million books will be distributed to over 4 million children.

Again, I would point out that in the Senate-passed reading provisions last year, we included support for reading is fundamental—RIF-like projects which we will be able to expand with the enactment of today's bill. The RIF provisions under this measure, however, are much more comprehensive than the 1974 provisions and are essentially the language of S. 2535, which was coauthored by Senator EAGLETON and I, on the Senate side and by Congressman AL QUIE as H.R. 9048 on the House side.

The RIF program results from idea of an individual and it serves to show